

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39868 of 2025

Arising Out of PS. Case No.-81 Year-2025 Thana- AURAI District- Muzaffarpur

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1. Rajesh Ray S/o Rajkishor Ray @ Raj Kishor Ray Resident of village- Chainpur, PS- Aurai, Dist- Muzaffarpur
 2. Lalan Kumar Yadav S/o Ramvinod Ray Resident of village- Chainpur, PS- Aurai, Dist- Muzaffarpur
 3. Ravi Kumar S/o Tuntun Ray Resident of village- Chainpur, PS- Aurai, Dist- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anish Kumar, Advocate
For the Opposite Party/s : Mr. Lalan Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 25-06-2025 Heard learned counsel for the petitioners and learned APP
for the State.

2. The petitioners seek bail in connection with Aurai
PS Case No. 81 of 2025 instituted for the offences under
Sections 30(a) & 30(c) of the Bihar Prohibition and Excise Act
and Sections 274 & 275 of the Bharatiya Nyaya Sanhita, 2023.

3. The prosecution case, in short, is that 69.5 liters
country made liquor, 40 Kg jaggery, 6 Kg ammonium chloride
were recovered from orchard.

4. Learned counsel for the petitioners submits that the
petitioners are innocent and have falsely been implicated in the



present case. No incriminating material has been recovered from the conscious possession of the petitioners. The petitioners have got no concern with the alleged recovery of liquor. It is submitted petitioners were not arrested from the spot. Learned counsel for the petitioners goes on to submit that recovery is made from an open place, which is accessible to public at large. The petitioners are in custody since 02-05-2025 and has got three criminal antecedent/s. There is no compliance of Section 103 of the BNSS, 2023.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioners.

6. Considering the aforesaid facts and circumstances of the case and the period of custody undergone by the petitioners, this Court is inclined to grant bail to the petitioners.

7. Let the petitioners be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Aurai PS Case No. 81 of 2025, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioners.

(II) The petitioners shall appear on each and every date



fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioners.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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