

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43096 of 2025

Arising Out of PS. Case No.-190 Year-2024 Thana- BARGAINIA District- Sitamarhi

Raja Yadav Son of Rameshwarth Ray Resident of Village- Mashha Aalam,
PS- Bairstania, District- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Uday Kumar, Advocate

For the Opposite Party/s : Mr.Anand Kishore Choudhary, APP

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

ORAL ORDER

2 09-07-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in Bairstania P.S. case No.
190 of 2024 instituted for the offences under Section 30(a) of
the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that 288 liters
liquor was recovered from gunny bags which was thrown away
from motorcycle.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. No incriminating material has been recovered
from the conscious possession of the petitioner. The petitioner
has got no concern with the alleged recovery of liquor. It is



further submitted that the name of the petitioner has transpired on secret information. It is also submitted that recovery is made from the road side, an open place accessible to one and all. The petitioner is in custody since 04.05.2025 and has got one criminal antecedent. There is no compliance of Section 103 of B.N.S.S., 2023. Co-accused has been granted anticipatory bail by a Coordinate Bench of this Court vide order dated 10.12.2024 passed in Cr. Misc. No. 82842 of 2024.

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

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

7. Let the petitioner be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Bairgania P.S. case No. 190 of 2024.

(Rudra Prakash Mishra, J)

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