

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38937 of 2025

Arising Out of PS. Case No.-16 Year-2020 Thana- GALGALIYA District- Kishanganj

Shital Kumar Rai @ Shital Rai Son of Ram Das Rai Resident of Village-
Vasundhaera Awasan Quarter no. b-72 Davgram, P.s.- Jalpaiguri District
-Jalpaiguri (WB)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Prawesh Kumar, Advocate

For the Opposite Party/s : Mr. Lakshmi Kant Sharma, APP

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

ORAL ORDER

2 23-06-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Galgalia P.S. Case No. 16 of 2020, instituted for the offences
punishable under Sections 30(a) and 41(1) of the Bihar
Prohibition and Excise Act.

3. The prosecution case, in short, is that, 514 liters
liquor was recovered from Bolero Maxi truck.

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. Charge-sheet has
been submitted in this case. The petitioner has got no concern



with the alleged recovery of liquor. Learned counsel for the petitioner also submits that the petitioner neither owner nor driver of the vehicle in question, rather the mobile phone found in the vehicle belongs to the petitioner. The petitioner is in custody since 03.04.2025 and has got no criminal antecedent. There is no compliance of Section 103 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

5. Learned APP 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/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Galgalia P.S. Case No. 16 of 2020.

(Rudra Prakash Mishra, J)

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