

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41123 of 2025

Arising Out of PS. Case No.-167 Year-2025 Thana- BUXAR District- Buxar

Bittu Rajak S/o Govind Rajak Vill. - Syndicate Budhanpurva, Buxar, PS -
Buxar (Town), Distt.- Buxar (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Akash Kumar Mishra, Advocate

For the Opposite Party/s : Mr. Nityanand, APP

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

ORAL ORDER

4 11-09-2025 Heard learned counsel for the petitioner and learned
APP for the State. Perused the case diary.

2. The petitioner seeks bail in connection with Buxar (Town) P.S. Case No. 167 of 2025 instituted for the offences under Sections 126(2), 109, 317(2), 111, 3(5) of the Bharatiya Nyaya Sanhita, 2023, Section 27 of the Arms Act and Section 30(a) of the Bihar Prohibition and Excise Act.

3. Prosecution case, in short, is that, on 12.04.2025, acting on a secret information, the Excise Inspector with police raided Rajghat where liquor was being smuggled by boat from Uttar Pradesh, during which the accused persons fired on the raiding party. On search, a Pulsar motorcycle and 76.6 litres of country-made liquor were recovered.



4. Learned counsel for the petitioner submitted that the petitioner has falsely been implicated in the present case. Petitioner is not named in the F.I.R. The name of the petitioner transpired in this case during investigation only on the basis of his criminal antecedent. Learned counsel further submitted that petitioner has no concern with the alleged recovery of liquor. Petitioner is neither the driver nor the owner of the motorcycle in question. No specific overt act is alleged against the petitioner. Learned counsel further submitted that no injury has been sustained to any person in the alleged occurrence. It has been submitted on behalf of the petitioner that the petitioner is in custody since 14.04.2025 and has one criminal antecedent.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner stating that the as per the material available in the case diary, this petitioner has himself confessed his guilt before the police.

6. Considering the aforesaid facts and circumstances of the case as also 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. 15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court



below/concerned Court in connection with Buxar (Town) P.S.
Case No. 167 of 2025

Alok Verma/-
(Rudra Prakash Mishra, J)

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