

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.46088 of 2025**

Arising Out of PS. Case No.-32 Year-2025 Thana- Fakuli District- Muzaffarpur

Raushan Kumar S/o Jogendra Ray @ Yogendra Ray @ Yogendra Ramu Vill.-  
Rajwara Bhagwan, PS- Musahari, Distt.- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

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

For the Opposite Party/s : Mr. Ashok Kumar Singh, APP

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

ORAL ORDER

2      17-07-2025      Heard learned counsel for the petitioner and learned APP  
for the State.

2.      The petitioner seeks bail in connection with Fakuli  
PS Case No. 32 of 2025 instituted for the offences under  
Section/s 30(a) & 41(1) of the Bihar Prohibition and Excise Act.

3.      The prosecution case, in short, is that 343.08 liters  
liquor was recovered from a Car.

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 submitted  
that name of the petitioner has surfaced in this case as being



driver of the vehicle in question and he was oblivious of the fact that illicit liquor was laden in the vehicle. The petitioner is in custody since 09-06-2025 and has got no 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 petitioner.

6. Considering the aforesaid facts and circumstances of the case, clean antecedent of the petitioner 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 Fakuli PS Case No. 32 of 2025.

**(Rudra Prakash Mishra, J)**

Raj Kishore/-

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