

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51868 of 2025

Arising Out of PS. Case No.-440 Year-2025 Thana- Excise P.S. District- Sitamarhi

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Raunak Kumar S/o Prahalad Prasad @ Pahlad Prasad Resident of Mohalla -
Krishnanagar, Binma Tola, Baswariya, PS- Mehsaul, OP, District- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary, APP

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

ORAL ORDER

2 05-08-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Sitamarhi Excise P.S. Case No. 440 of 2025, instituted for the
offences punishable under Sections 30(a) and 32(3) of the Bihar
Prohibition and Excise Act.

3. The prosecution case, in short, is that total 432
liters liquor was recovered out of which 405 liters liquor was
recovered from motorcycle and the petitioner was apprehended
on spot.

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. Learned counsel for the petitioner also submits that the petitioner is not the owner of the motorcycle in question. The petitioner is in custody since 28.06.2025 and has got two criminal antecedents in which he is on bail. 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 Sitamarhi Excise P.S. Case No. 440 of 2025.

8. Interlocutory Application, if any, shall stand disposed of.

(Rudra Prakash Mishra, J)

Rajorshi/-

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