

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52288 of 2025

Arising Out of PS. Case No.-248 Year-2025 Thana- RAJNAGAR District- Madhubani

1. Rajan Kumar Das @ Rajan Kr. Das S/O Raj Kumar Das Resident of village- Chakdah, ward No. 21, PS- Rajnagar, Dist- Madhubani
2. Sharvan Kumar Das S/O Raj Kumar Das Resident of village- Chakdah, ward No. 21, PS- Rajnagar, Dist- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhavesh Kumar Sah, Adv.

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

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 06-08-2025 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail in connection with Rajnagar P.S. Case No. 248 of 2025 (G.R. No. 809 of 2025) instituted for the offences under Sections 274, 275, 3(5) of the Bhartiya Nyaya Sanhita and Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per prosecution case, the police has recovered total 140.250 liters of illicit foreign liquor from the firewood house of the petitioners. The petitioners were arrested on the spot.

4. Learned counsel for the petitioners submits that the



petitioners are innocent and have committed no offence as alleged against them and have falsely been implicated in the present case due to ulterior motive and dirty village politics. The name of the petitioners has surfaced in this case on the basis of the secret information. He further submits that nothing incriminating has been recovered from the conscious possession of the petitioners. The petitioners have no concern with the seized liquor. The petitioners have never indulged either in manufacturing or trading of the illicit liquor. There is a non-compliance of Section 103 of the B.N.S.S. which creates a serious doubt in the prosecution case. The petitioners have no criminal antecedent and are languishing in judicial custody since 16.06.2025 without any rhyme or reason.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioners.

6. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioners and the petitioners having no criminal antecedent, let the petitioners, abovenamed, be released on bail on furnishing bail bonds of Rs.15,000/- (Fifteen thousand) each with two sureties



of the like amount each to the satisfaction of Court
below/concerned Court in connection with Rajnagar P.S. Case
No. 248 of 2025 (G.R. No. 809 of 2025).

(Rudra Prakash Mishra, J)

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