

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52381 of 2025

Arising Out of PS. Case No.-55 Year-2025 Thana- Garahara District- Begusarai

Raja Kumar @ Raja Sah S/O Ramnandan Sah R/O Village- Baro Salempur,
Ward No. 16, P.S- Gahhara, Dist.- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shivjee Singh, Adv.

For the Opposite Party/s : Mr.Khurshid Anwar, APP

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

ORAL ORDER

2 07-08-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Gadhara P.S. Case No. 55 of 2025 instituted for the offences
under Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per prosecution case, the police has recovered
total 43.92 liters of illicit foreign liquor from two sacs.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence as alleged
against him and has falsely been implicated in the present case
at the instance of the enemy of the petitioner. He further submits
that nothing incriminating has been recovered from the
conscious possession of the petitioner rather the alleged foreign
liquor has been recovered from the Baro Sahu Market in a shop.



The aforesaid Baro Sahu Market belongs to one late Kaushalya Devi and his two sons. The petitioner has no concern with the seized liquor. The petitioner has 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 petitioner has one criminal antecedent and is languishing in judicial custody since 28.06.2025 without any rhymes 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 petitioner.

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 petitioner, let the petitioner, abovenamed, be released on bail on furnishing bail bonds of Rs.15,000/- (Fifteen thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Gadhhara P.S. Case No. 55 of 2025.

(Rudra Prakash Mishra, J)

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