

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61228 of 2025

Arising Out of PS. Case No.-321 Year-2022 Thana- BARH District- Patna

Tetar Rai S/o Late Lakhan Rai Resident Of Village- West Malahi, Ps- Barh,
Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Suresh Singh, Advocate

For the Opposite Party/s : Ms. Rina Sinha, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 24-09-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in a case registered
under Section 30(a) of Bihar Prohibition and Excise Act.

3. As per the prosecution case, 520 litres of illicit
liquor was recovered near Ganga *Diayara*. Two persons
apprehended on the spot who disclosed the name of this
petitioner and other accused persons.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has been falsely implicated in this
case merely on the disclosure statement of apprehended co-
accused persons. Further submission is that petitioner was not
present on the spot and he has no concern with the seized liquor.
Nothing has been recovered from conscious possession of the



petitioner. There is no independent witness on the seizure list. Petitioner has three criminal antecedents out of which two belong to Excise Act and in all the cases, he is on bail. There is no chance of his absconding or tampering with the evidence. Petitioner is in custody since 05.06.2025 and he undertakes to cooperate in the investigation and trial.

5. Learned APP for the State has opposed the prayer for regular bail of the petitioner.

6. Considering the facts and circumstances of the case, the submissions of learned counsel for the parties and period of custody, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Court concerned in connection with Barh P.S. Case No. 321 of 2022 with further conditions:-

(i) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(ii) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidence, failing which the State shall be at liberty to take steps for



cancellation of the bail bond;

(iii) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bond.

(Sunil Dutta Mishra, J)

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