

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64482 of 2025

Arising Out of PS. Case No.-24 Year-2024 Thana- SARAIYA District- Muzaffarpur

Rajesh Kumar S/o Late Hiralal Rai R/o Village -Basuchak, P.S - Saraiya,
District - Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shashank Shekhar, Advocate

For the Opposite Party/s : Ms. Pronoti Singh, APP

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

ORAL ORDER

2 08-09-2025 Heard learned counsel for the petitioners and learned APP
for the State.

2. The petitioner seeks bail in Saraiya P.S. Case No.
24 of 2024, instituted for the offences punishable under Sections
272, 273, 34 of the Indian Penal Code, Sections 30(a), 32(2),
32(3), 36, 41(1) and 41(2) of the Bihar Prohibition and Excise
Act.

3. The prosecution case, in short, is that, 3024 liters
liquor was recovered from a truck.

4. Learned counsel for the petitioner submits that the
petitioner has falsely been implicated in the present case. No
incriminating material have been recovered from the conscious



possession of the petitioner. The petitioner has got no concern with the alleged recovery of liquor. Petitioner has no concern with the truck in question. Petitioner is in custody since 09-06-2025, having three criminal antecedents. There is no compliance of Section 103 of the BNSS, 2023. Other co-accused have been granted bail by this Court vide order dated 07-03-2024, passed in Cr. Misc. No. 15342 of 2024.

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. 15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Saraiya P.S. Case No. 24 of 2024, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the



bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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