

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73497 of 2025

Arising Out of PS. Case No.-104 Year-2025 Thana- RAMPUR HARI District- Muzaffarpur

Santosh Kumar S/O Raghbir Ray Resident of Village- Paramjivar, P.S-
Hathaudi (Rampurhari), Distt.- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Harsha Shashwat, Adv.

For the Opposite Party/s : Mr.Gulnar Begum, APP

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

ORAL ORDER

2 16-10-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Rampurhari P.S. Case No. 104 of 2025 instituted for the offences under Sections 274, 275, 3(5) of the Bhartiya Nyaya Sanhita, 2023 and Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per prosecution case, the police has recovered total 86.400 liters of illicit foreign liquor from the vehicle bearing Regd. No. BR31J-4935.

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.



He further submits that nothing incriminating has been recovered from the conscious possession of the petitioner. The petitioner is the owner of the alleged vehicle bearing Regd. No. BR31J 4935. The petitioner was not arrested on the place of occurrence and has been implicated in this case only on the basis of his being the owner of the alleged vehicle. The petitioner was not aware of the contraband being carried on his car. 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 no criminal antecedent and is languishing in judicial custody since 19.08.2025 without any rhymes or reason.

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

7. 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 and the petitioner having no criminal antecedent, let the petitioner, abovenamed, 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 Rampurhari P.S.
Case No. 104 of 2025.

(Rudra Prakash Mishra, J)

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