

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74484 of 2025**

Arising Out of PS. Case No.-161 Year-2025 Thana- SAHIYARA District- Sitamarhi

Raja Kumar Son of Rajan Prasad @ Rajan Kumar Village - Bhavdepur, Ward no. 1, P.S. - Riga, Dist. - Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Virendra Kumar, Adv.

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

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

ORAL ORDER

2 01-11-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Sahiyara P.S. Case No. 161 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 468 liters of illicit Nepali liquor from the Scorpio vehicle. The petitioner was arrested on the spot.

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 only on the basis of suspicion. He further submits that nothing incriminating has been recovered from the conscious possession



of the petitioner. The petitioner has no concern either with the seized liquor. The petitioner is neither driver nor owner of the alleged Scorpio. 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 eight criminal antecedents and is languishing in judicial custody since 21.08.2025 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, *after framing of charge if not already framed*, 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 Sahiyara P.S. Case No. 161 of 2025, subject to the following conditions;

(i) One of the bailor(s) shall be the own/close family members of the petitioner.

(ii) The petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the



court and shall remain physically present as directed by the Court and in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(Rudra Prakash Mishra, J)

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