

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75259 of 2025

Arising Out of PS. Case No.-354 Year-2025 Thana- KUCHAIKOTE District- Gopalganj

Raj Kumar S/O Late Tappi Sah Resident of Village- Salemgarh, Siyaraha,
P.S.- Tareya Sujan, District- Kushinagar, State- Uttar Pradesh

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pankaj Kumar Dubey, Advocate
For the Opposite Party/s : Mr. Pushpa Sinha, APP

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

ORAL ORDER

2 04-11-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Kuchaikote P.S. Case No. 354 of 2025 instituted for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total 54.900 litres of liquor was recovered from auto-rickshaw.

4. Learned counsel for the petitioner submitted that the petitioner has falsely been implicated in the present case. No incriminating article has been recovered from the conscious possession of the petitioner. Learned counsel further submitted that petitioner is not the owner of the vehicle. It is further



submitted that petitioner is the driver of the vehicle in question but he had no knowledge regarding the goods loaded in the vehicle. The petitioner is in custody since 17.08.2025 and has no criminal antecedent. There is no compliance of Section 103 of the Bharatiya Nagarika Suraksha Sanhita, 2023.

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 Kuchaikote P.S. Case No. 354 of 2025.

(Rudra Prakash Mishra, J)

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