

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78447 of 2025

Arising Out of PS. Case No.-518 Year-2025 Thana- CHHATAUNI District- East Champaran

Radheshyam Kumar Son of Mukti Nath Prasad @ Muktinath Sah Resident of
Village- Amar Chhatauni (Asmar Chhatauni), Ward No. 10, P.S.- Chhatauni,
District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Singh, Advocate

For the Opposite Party/s : Mr.Sucheta Yadav, A.P.P.

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

ORAL ORDER

2 19-11-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Chhatauni P.S. Case No. 518 of 2025, instituted for the offences
punishable under Sections 30(a) and 37 of the Bihar Prohibition
and Excise Act.

3. The prosecution case, in short, is that 12 liters of
country made liquor was recovered from plastic sack.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. No incriminating material has been recovered from
the conscious possession of the petitioner. The petitioner has got
no concern with the alleged recovery of liquor. Learned counsel
for the petitioner further submitted that the recovery has been



made from open place, which is accessible to public at large. The petitioner is in custody since 31.08.2025 and has got no criminal antecedent. There is no compliance of Section 103 of the Bharatiya Nagarik 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 Chhatauni P.S. Case No. 518 of 2025.

(Rudra Prakash Mishra, J)

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