

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84745 of 2025

Arising Out of PS. Case No.-390 Year-2025 Thana- DESARI District- Vaishali

Sukhari Rai @ Sukhar Rai Son of Ram Prit Rai Resident of village- Naya
Gaon Bishar Asthan Police Station- Desari District-Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Bijay Bhushan Prasad, Advocate Ms. Rani Shashi Bharti, Advocate
For the Opposite Party/s	:	Mr. Rajiv Nayan, APP

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

ORAL ORDER

2 04-12-2025 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with Desari
PS Case No. 390 of 2025 instituted for the offences under
Section/s 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that 120 liters
country made liquor was recovered from bicycle.

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. It is submitted
that petitioner is labour of co-accused, Raja Kumar and on his



instance, he was carrying the bags with bicycle and he was oblivious of the fact that illicit liquor was laden in the bags. The petitioner is in custody since 28.10.2025 and has got two criminal antecedent/s. There is no compliance of Section 103 of the BNSS, 2023.

5. Learned A.P.P. 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/- (Fifteen thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Desari PS Case No. 390 of 2025.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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