

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84925 of 2025

Arising Out of PS. Case No.-11 Year-2025 Thana- ADAPUR District- East Champaran

Raju Prasad @ Raju Kumar @ Raju Sah S/O Rampadarath Sah @
Rampadarath Prasad R/O Village- Shyampur Bazar, P.S- Aadapur, Distt.- East
Champaran, Motihari.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Braj Kishore Pd.(App)

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

ORAL ORDER

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

2. The petitioner seeks bail in connection with
Aadapur P.S. Case No. 11 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, 72 liters
liquor was recovered from field near the pond of Rajaram Singh
in four Jute Sacks.

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 submits that the recovery is made from an open place, which is accessible to one and all. It is further submitted that the name of the petitioner has transpired in this case on the basis of disclosure made by local *Chowkidar*. The petitioner is in custody since 14.10.2025 and has got five criminal antecedents. Learned counsel for the petitioner further submits that other co-accused has been granted bail by this Court vide order dated 17.06.2025 passed in Cr. Misc. No. 36992 of 2025. 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, ***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 Aadapur P.S. Case No. 11 of 2025, subject to the following conditions:



(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

krishnakant/-

U		T	
---	--	---	--

