

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.85278 of 2025**

Arising Out of PS. Case No.-781 Year-2025 Thana- BIHTA District- Patna

=====

Raja Kumar @ Rajaram Son of Surendra Ram R/o Village - Kashmichak, P.S.  
- Noorsarai, Dist. - Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

**Appearance :**

For the Petitioner/s : Mr. Kumar Rajeev, Advocate  
For the Opposite Party/s : Mr. Choubey Jawahar, APP

=====

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

ORAL ORDER

2      10-12-2025                      Heard Mr. Kumar Rajeev, learned counsel for the  
petitioner and Mr. Choubey Jawahar, learned APP for the State.

2. The petitioner seeks bail in connection with Bihta  
P.S. Case No. 781 of 2025, Special Excise Case No. 2136 of  
2025 instituted for the offences punishable under Sections 30(a),  
32, 36 of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total 36.360  
litres of liquor was recovered from car.

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. It is further submitted that petitioner is the driver and owner of the vehicle in question but he had no concern with the alleged recovery. The petitioner is in custody since 11.10.2025 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, ***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 Bihta P.S. Case No. 781 of 2025, Special Excise Case No. 2136 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)**

Alok Verma/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

