

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4788 of 2025

Arising Out of PS. Case No.-398 Year-2024 Thana- ALAMGANJ District- Patna

=====

Raju Kumar S/O Rajesh Kumar @ Rajesh Mandal @ Rajesh Mahto Resident
of Mohalla- Mirchaia Tola, Police Station- Alamganj, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Shyam Kumar Chaudhary, Adv.

For the Opposite Party/s : Mr.Nand Kumar, APP

=====

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

ORAL ORDER

3 14-02-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Alamganj P.S. Case No. 398 of 2024 instituted for the offences
under Section 30(a) of the Bihar Prohibition and Excise Act,
2022.

3. As per prosecution case, the police has recovered
total 40 liters of liquor from the possession of some accused
persons including the petitioner out of total recovery of 70 liters
of illicit liquor from the place of occurrence.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence as alleged
against him and has falsely been implicated in the present case.



The petitioner was arrested on the spot and his name has surfaced in this case on the basis of the disclosures made by one Subhash Kumar who was apprehended at the spot. The petitioner was arrested on 09.09.2024 in connection with Alamganj P.S. Case No. 789 of 2024 and remanded in the present case on 12.11.2024. He further submits that nothing incriminating has been recovered from the conscious possession of the petitioner. There is a non-compliance of Section 103 of the B.N.S.S. which creates a serious doubt in the prosecution case. The petitioner has one criminal antecedent and is languishing in judicial custody since 12.11.2024 without any rhymes or reason.

5. Learned counsel for the petitioner again submits that the co-accused has been granted bail by this Court vide order dated 07.08.2024 passed in Cr. Misc. No. 54038 of 2024.

6. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioner and the prayer for bail based on parity, let the petitioner, abovenamed, be released on bail on furnishing bail bonds of



Rs.10,000/- (Ten thousand) with two sureties of the like amount
each to the satisfaction of Court below/concerned Court in
connection with Alamganj P.S. Case No. 398 of 2024.

(Rudra Prakash Mishra, J)

rishi/-

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

