

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2757 of 2025

Arising Out of PS. Case No.-27 Year-2017 Thana- BIHTA District- Patna

Nepali Rai @ Raghubir Kumar S/O Dipti Rai Resident of Village - Pathlautia,
P.S- Bihta, Dist- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shambhu Sn Singh, Adv.

For the Opposite Party/s : Mr. Parmanand Prasad, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 28-03-2025 Heard the parties

2. The petitioner is named in the F.I.R. and apprehending his arrest in connection with Bihta P.S. Case No. 27 of 2017 registered for the offences punishable under Section 30(a)(d)/37(a) of the Bihar Prohibition and Excise Act.

3. The allegation against the petitioner is to be engaged in illegal trading/manufacturing of illicit liquor, where, there is recovery of 200 litres of IMFL/country made liquor

4. It is submitted by learned counsel appearing on behalf of the petitioner that the alleged recovery of



illicit liquor *prima-facie* appears to be made from an open place, where the name of the petitioner transpired on the basis of disclosure made by the person who consumed liquor and made his statement in drunken condition before the police regarding involvement of petitioner, who is a man of clean antecedent. It is submitted that no recovery of illicit liquor *prima-facie* appears to be made from physical possession of this petitioner.

5. Learned APP, opposed the prayer of bail.

6. In view of aforesaid factual submission and by taking note of fact that *prima-facie* no illicit liquor appears to be recovered from physical possession of this petitioner, who is a man of clean antecedent, accordingly petitioner above-named, in the event of his arrest or surrender before the court below within a period of four weeks, is directed to be released on bail, furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge Excise Act, Danapur/concerned



Court, where the case is pending in connection with Bihta
P.S. Case No. 27 of 2017, subject to the conditions as
laid down under Section 438(2) of the Cr.P.C/Section
482(2) of BNSS.

(Chandra Shekhar Jha, J)

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