

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4336 of 2025

Arising Out of PS. Case No.-364 Year-2024 Thana- BACHHWARA District- Begusarai

Raj Kumar Rai S/O Sitaram Rai R/O Village- Rani Tol Diyara, P.S-
Bachhwara, Distt.- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar, Advocate

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

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

ORAL ORDER

2 04-02-2025 1. Heard learned counsel for the petitioner and learned

APP for the State.

2. The petitioner seeks bail in connection with
Bachhwara P.S. Case No. 364 of 2024 instituted for the offences
punishable under Section 30(a) of the Bihar Prohibition and
Excise Act.

3. The prosecution case, in short, is that total 25 litres
of liquor has been recovered from two different gallons kept in
the bamboo orchard.

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 rather the recovery has been made



from an open place. The petitioner has got no concern with the alleged recovery of liquor. The petitioner is in custody since 03.11.2024 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 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 Bachhwara P.S. Case No. 364 of 2024.

(Rudra Prakash Mishra, J)

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