

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.563 of 2025

Arising Out of PS. Case No.-1095 Year-2024 Thana- EXCISE BAGHA District- West
Champaran

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Raju Singh Son of Ravindra Singh Resident of Bahuri (Bahuary), Ward No. 2,
P.S.- Ramnagar, District- West Champaran (Bettiah)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Lokesh Kumar Singh, Adv.
For the Opposite Party/s : Mr. Chaubey Jawahar, APP

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

ORAL ORDER

2 18-01-2025 Heard learned counsel for the petitioner and Mr.
Chaubey Jawahar, learned APP for the State.

2. The petitioner seeks bail in connection with Bagaha
Excise P.S. Case No. 1095 of 2024 instituted for the offences
under Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per prosecution case, the police has recovered
total 3.02 liters of foreign liquor from from the petitioner. It is
alleged that the petitioner was arrested on the spot.

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
merely on the basis of suspicion. He further submits that
nothing incriminating has been recovered from the conscious



possession of the petitioner or from his house rather the same was recovered from the Bahuari, Ward No.2. The petitioner has no concern with the seized liquor. The seized bags from which the illicit liquor was recovered do not belong to 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 two criminal antecedents and in both of them, he is on bail and is languishing in judicial custody since 07.12.2024 without any rhymes or reason.

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

6. 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, 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 Bagaha Excise P.S. Case No. 1095 of 2024, subject to the following conditions;

(i) One of the bailor(s) shall be the own/close family members of the petitioner.

(ii) The petitioner shall cooperate in the trial and shall



be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(Rudra Prakash Mishra, J)

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