

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3812 of 2026

Arising Out of PS. Case No.-305 Year-2025 Thana- AWTARNAGAR District- Saran

Raju Rai @ Raju Kumar Son of Jawahir Rai Resident of Village - Santha,
P.S.- Awatar Nagar, District - Saran Chapra.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Ramchandra Sahni, A.P.P.

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

ORAL ORDER

2 27-01-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Awtarnagar P.S. Case No. 305 of 2025, 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 50 liters
of country made liquor was recovered from jute sack at the side
of the road.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. No incriminating material has been recovered from
the conscious possession of the petitioner. The petitioner has got
no concern with the alleged recovery of liquor. Learned counsel



for the petitioner further submitted that the recovery has been made from open place, which is accessible to public at large. Local people disclosed the name of petitioner. The petitioner is in custody since 05.12.2025 and has got five criminal antecedent. There is no compliance of Section 103 of the Bharatiya Nagarik 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. 15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Awtarnagar P.S. Case No. 305 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.



(III) If the petitioner is found involved in similar nature of offence in future, the Trial Court will have the liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

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