

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7952 of 2026

Arising Out of PS. Case No.-323 Year-2025 Thana- RAGHOPUR District- Vaishali

1. Rahul Kumar S/o Ranjay Ray Resident of Village- Tersiya, Terahrasia, Terasiya, Ward No. No. 01, P.S.- Ganga Bridge, District- Vaishali
2. Subodh Kumar S/o Nawal Ray Resident of Village- Ibrahimabad, P.S.- Raghapur, District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravish Mishra, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 10-02-2026 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail in connection with Raghapur (Rustampur) P.S. Case No. 323 of 2025, instituted for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act and Sections 274, 275 and 317(2) of the Bharatiya Nyaya Sanhita, 2023.

3. The prosecution case, in short, is that total 280 liters of country made liquor was recovered from Tempoo. Both petitioners were arrested on the spot.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in the



present case. No incriminating material has been recovered from the conscious possession of the petitioners. The petitioners have got no concern with the alleged recovery of liquor. The petitioners are neither owner nor driver of the alleged vehicle, in fact, on the fateful day they were travelling on the same. The petitioners have no knowledge regarding nature of goods loaded on the vehicle. The petitioners are in custody since 08.12.2025 and have got no 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 petitioners.

6. Considering the aforesaid facts and circumstances of the case and the period of custody undergone by the petitioners, this Court is inclined to grant bail to the petitioners.

7. Let the petitioners be released on bail on furnishing bail bonds of Rs. 15,000/- (Rupees Fifteen Thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Raghapur (Rustampur) P.S. Case No. 323 of 2025.

(Rudra Prakash Mishra, J)

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