

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14852 of 2026

Arising Out of PS. Case No.-22 Year-2026 Thana- BUXAR District- Buxar

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Raja Rain @ Golu khan S/O Majahar Rain R/O Village- Santi Nagar Buxar,
PS- Buxar(Town), Distt-Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dr.Kamal Deo Sharma, Advocate

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

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

ORAL ORDER

2 27-02-2026 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with Buxar
(T) PS Case No. 22 of 2026 instituted for the offences under
Section/s 30(a) of the Bihar Prohibition and Excise Act and
Section 317(5) of the Bharatiya Nyaya Sanhita, 2023.

3. The prosecution case, in short, is that 239.4 liters
liquor was recovered from three motorcycles, out of which
97.560 liters liquor was recovered from the motorcycle which
the petitioner was riding.

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. It is submitted that petitioner is not the owner of the motorcycle and he has no concern with the same. The petitioner is in custody since 13.01.2026 and has got five (5) criminal antecedent/s. There is no compliance of Section 103 of the BNSS, 2023.

5. Learned A.P.P. 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, ***after framing of charge, if not already framed***, on furnishing bail bonds of Rs.15,000/- (Fifteen thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Buxar (T) PS Case No. 22 of 2026, 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 and shall not remain absent on two consecutive dates without sufficient cause.



(III) The petitioner will not tamper with the evidence or the witnesses during the trial.

(IV) Petitioner shall not commit offence of similar nature in future.

If any of the above conditions are violated, the Trial Court shall be at liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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