

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30038 of 2026

Arising Out of PS. Case No.-270 Year-2025 Thana- BENIPATTI District- Madhubani

Raja Sharma S/O Jagdish Sharma @ Jagdish Thakur R/o village - Balia
,Baliya , p.s- Benipatti , District - Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravi Prakash, Advocate

For the Opposite Party/s : Mr.Suman Kumari Singh, APP

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 07-05-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in connection with Benipatti P.S. Case No. 270 of 2025 registered for the offence under Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, the recovery is of total 90 litre of Nepali Saufi liquor from a motorcycle.

4. It has been submitted by the learned counsel for the petitioner that the petitioner is innocent and he has falsely been implicated in this case. It is next submitted that the name of the petitioner has come in the confessional statement of the co-accused. Petitioner claims that he is not accused in any case under the Excise Act.



5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

6. Considering the aforesaid facts, this application is allowed.

7. Let the petitioner, above named, in the event of his arrest or surrender before the concerned Court below within four weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned concerned Court below in connection with Benipatti P.S. Case No. 270 of 2025, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973 / Section 482 of the BNSS.

8. This is also subject to the condition that the petitioner shall deposit an amount of Rs. 25,000/- in Ramkrishna Mission Ashrama, Bela, Muzaffarpur and produce the receipt of the same before the Court below. The bail bonds of the petitioner shall be accepted after verifying the genuineness of the receipt produced by the petitioner.

9. At the time of accepting the bail bonds of the petitioner, the Court below shall verify the statement of the petitioner that he does not have any case registered against him



under the Bihar Prohibition and Excise Act. The bail bonds of the petitioner shall only be accepted if it is found that he does not have any case registered against him under the Bihar Prohibition and Excise Act

10. As a condition of this order, the petitioner after being released on bail, is directed to mark his attendance at Benipatti Police Station, District- Madhubani on each Sunday of every month. Any default in appearance at the Police Station will result in cancellation of bail bonds of the petitioner.

(Sandeep Kumar, J)

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