

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29575 of 2026

Arising Out of PS. Case No.-342 Year-2025 Thana- GHORASAHAN District- East
Champaran

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Raju Sah @ Raju Kumar @ Raju Kumar Sah S/o- Indrajeet Sah @ Indrajit
Sah Resident of Bijbani, Baraiya Tola P.S- Jitna Dist- East Champaran
... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Kundan Rathore Alias Kundan Kumar
For the Opposite Party/s : Mr. Md. Shakir Ahmad

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 04-05-2026 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
10.03.2026 in connection with Ghorasahan P.S. Case No. 342 of
2025 for the offence punishable under Section 30(a) of Bihar
Prohibition and Excise Amendment Act, 2022.

3. The case of the prosecution, in brief, is that on the
basis of secret information, on 16.10.2025, co-accused was
carrying illicit liquor. When the accused person saw the police
Team, he tried to fled away on the spot. That co-accused is
arrested at the spot. The team search the bike and found total
10.80 liters of Nepali liquor and one bike were recovered. The
accused person stated that the said liquor is belongs to the
petitioner and he was going to deliver it to Jumai Mian.
Accordingly, seizure list was prepared. Hence this is lodging the
FIR.

4. Learned counsel for the petitioner submits that it



appears from the FIR and seizure list that nothing has been recovered from the conscious possession of the petitioner rather the recovery has been made from the motorcycle in question. It is next submitted that name of the petitioner has transpired on the basis of confessional statement of co-accused person, namely, Chandan Kumar and except the aforesaid nothing has come during the investigation to suggest the involvement of the petitioner in the present occurrence and petitioner is in custody since 10.03.2026.

5. The learned Additional Public Prosecutor for State has vehemently opposed the prayer for bail of the petitioner and submits that petitioner has antecedent of eleven cases other than the present case but fairly submits that petitioner is on bail in five cases and the rest cases are pending for consideration before the court of competent jurisdiction.

6. Considering the aforesaid facts and circumstances, let the petitioner, above named, 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 Court of Exclusive Special Excise Court No. 3/concern court, Motihari, East Champaran in connection with Ghorasahan P.S. Case No. 342 of 2025, subject to the following conditions:-



i. Petitioner shall co-operate 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 on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

Gaurav Sinha/-

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