

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32995 of 2026

Arising Out of PS. Case No.-246 Year-2026 Thana- ALAMGANJ District- Patna

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Raj Kumar Ram S/O Late Bitthal Ram R/O Vill.- Sadikpur Domekhana, P.S.-
Alamganj, District- Patna. Petitioner/s

Versus

The State of Bihar. Opposite Party/s

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Appearance :

For the Petitioner/s : Ms. Ayushi Gupta, Advocate

For the Opposite Party/s : Mrs. Sucheta Yadav, APP

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CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

3 10-06-2026 Heard learned counsel for the petitioner and learned
APP for the State through virtual mode.

2. The petitioner seeks bail in a case registered for the
offence punishable under Section 30(a) of the Bihar Prohibition
and Excise Act.

3. Perusal of the first information report and the seizure
list would go to show that 140 liters of country made liquor is
said to have been recovered from a public place.

4. It is submitted by learned counsel for the petitioner
that there is no recovery from the conscious or physical
possession of the petitioner. The place of recovery is an open
place and easily accessible to anyone, hence no liability can be
fixed on the petitioner. There is violation of the mandatory
provisions of the search and seizure as there is no independent
witness to the seizure list. Petitioner has been languishing in
custody since 15.03.2026.



5. Learned APP for the State opposes the bail petition on the ground that petitioner has one criminal antecedent of similar nature of the offence. In response, it is submitted on behalf of the petitioner that he is on bail in the said case.

6. Taking into consideration the fact and circumstances of the case and also considering the fact that there is non-compliance of mandatory provisions of seizure, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Alamganj P.S. Case No. 246 of 2026, subject to the further condition that:

(i) The petitioner shall cooperate in the investigation/trial.

(ii) The one of the bailors will be a family member/close relative.

(Soni Shrivastava, J)

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