

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49850 of 2026

Arising Out of PS. Case No.-257 Year-2022 Thana- BATHNAHA District- Sitamarhi

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Raushan Kumar @ Roshan Kumar Singh S/o Shyam Kishor Singh Resident
of Village- Latipur, P.S.- Bathnaha, Dist.- Sitamarhi ... Petitioner/s
Versus

The State of Bihar Bihar
... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Virendra Kumar, Adv.
For the Opposite Party/s : Mr. Lakshmi Kant Sharma, Adv.

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CORAM: HONOURABLE MR. JUSTICE RAJ KUMAR
ORAL ORDER

2 22-07-2026 Heard learned counsel for the petitioner as well as
learned A.P.P. on behalf of the State.

2. The petitioner is languishing in jail custody since 03-06-2026 for the offence under Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per the allegation made in the F.I.R., 34.800 litres of Nepali Liquor has been recovered from the motorcycle, in question.

4. Learned counsel for the petitioner submits that the petitioner was not apprehended at the spot. His name transpired in the confession of the co-accused, Sajjan Kumar. It is next submitted that the petitioner is languishing in custody since 3rd June, 2026. He undertakes to cooperate in the investigation and the trial as also he undertakes not to repeat the offence.

5. Learned A.P.P. on behalf of the State has opposed the application stating therein that the petitioner has one other case to his credit of similar nature against him.

6. Taking into consideration the aforesaid facts, the



petitioner is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned Special Judge, Exclusive Excise Court-01, Sitamarhi, in connection with Bathnaha P.S. Case No.-257/2022, subject to the following conditions:-

- (i) The petitioner shall cooperate in the disposal of trial.
- (ii) One of the bailors must be close relatives of the petitioner such as mother, father, brother, sister or wife.
- (iii) Before release the criminal antecedent of the petitioner be verified and if the petitioner is found involved in any case other than the case as mentioned in paragraph-3, the bail bond of the petitioner shall not be accepted.
- (iv) The petitioner will appear on each and every date fixed by the trial court and if, he fails to do so on two consecutive dates, unless he is prevented by extremely adverse circumstances, the learned court below will be at liberty to cancel the bail bond of the petitioner.
- (v) If the petitioner repeats any offence of similar nature, the Court below shall take steps to cancel his bail bond.

(Raj Kumar, J)

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