IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74483 of 2026
CNR No. BRHC011018552026

Arising Out of PS. Case No.-5 Year-2026 Thana- RUDRAPUR District- Madhubani

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Roushan Kumar Singh S/o Vinod Kumar Singh R/o- Ward No. 6, Dhramdiha, Dihtola, P.S- Phulparas, Distt.- Madhubani, Bihar.

... ... Petitioner/s

Versus

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

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Appearance :
For the Petitioner/s : Mr.Aayushranjan
For the Opposite Party/s : Mr.Damodar Prasad Tiwary

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CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA

ORAL ORDER

2 28-10-2026 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner is apprehending his arrest in a case registered for the offence punishable under Sections 319(2), 318(4) of the B.N.S. and Sections 30(a), 30(c), 30(g) of the Bihar Prohibition and Excise Act.

3. Perusal of the first information report and the seizure list, would go to show that 62.04 liters of homeopathy medicine and 10 sacks in which empty bottles of foreign liquor was found from a Bolero vehicle.

4. It is submitted by learned counsel for the petitioner that there is no recovery from the physical and conscious possession of the petitioner. It is submitted that two persons were arrested on the spot. The petitioner is said to be the owner of the said Bolero vehicle, as such, he has been implicated. It is further submitted that the mandatory provisions

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of search and seizure have been violated as there is no independent witness to the seizure list. Further, the petitioner has no criminal antecedent.

5. Learned APP for the State opposes the prayer for bail.

6. Taking into consideration the facts and circumstances of the case, let the above named petitioner in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, 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 Rudrapur P.S. Case No. 05 of 2026, subject to the condition as laid down under Section 438 (2) of the Cr.P.C./482(2) of the B.N.S.S., subject to the further conditions:

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

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

(Soni Shrivastava, J)

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