

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.614 of 2025

Arising Out of PS. Case No.-451 Year-2024 Thana- KATEYA District- Gopalganj

Mainuddin Ali S/o- Daroga Ali Village- Gahani Chauiya Chakiya PS- Kateya
Distt-Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Suresh Prasad Bhakta, Advocate
For the Opposite Party/s : Mr. Parmanand Prasad, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

- 2 18-01-2025 1. Heard learned counsel for the petitioner and learned APP for the State.
2. The petitioner seeks bail in connection with Kateya P.S. Case No. 451 of 2024 instituted for the offences punishable under Sections 317(5) of the BNS and 30(a) of the Bihar Prohibition and Excise Act.
3. The prosecution case, in short, is that total 279 litres of liquor was recovered from Hyundai Santro Car.
4. Learned counsel for the petitioner submitted that the petitioner has falsely been implicated in the present case. No incriminating article has been recovered from the conscious possession of the petitioner. Learned counsel further submitted that petitioner is neither the owner nor the driver of the vehicle.



The petitioner has got no concern with the alleged recovery of liquor. The petitioner is in custody since 19.11.2024 and has no criminal antecedent. There is no compliance of Section 103 of the Bharatiya Nagarika Suraksha Sanhita, 2023.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Kateya P.S. Case No. 451 of 2024.

(Rudra Prakash Mishra, J)

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