

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.787 of 2025

Arising Out of PS. Case No.-564 Year-2024 Thana- MOTIHARI MUFASIL District- East
Champaran

Sanjay Prasad @ Sanjay Sah Son of Jaga Sah Resident of Village - Katahan,
Police Station - Muffasil Motihari, District - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Karandeep Kumar, Advocate
For the Opposite Party/s : Mr. N.N. Tiwari, APP

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

ORAL ORDER

2 18-01-2025 Heard learned counsel for the petitioner and Mr. N.N.
Tiwari, learned APP for the State.

2. The petitioner seeks bail in connection with
Muffasil PS Case No. 564 of 2024 instituted for the offences
under Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that 70 liters
country made liquor was recovered from E-rickshaw.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. No incriminating material has been recovered from
the conscious possession of the petitioner. The petitioner has got
no concern with the alleged recovery of liquor. Petitioner is the
owner as also the driver of the vehicle in question. The



petitioner is in custody since 20-11-2024 and has got no criminal antecedent. There is no compliance of Section 103 of the BNSS, 2023.

5. Learned A.P.P. 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, clean antecedent of the petitioner 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 Muffasil PS Case No. 564 of 2024.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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