

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.2544 of 2025**

Arising Out of PS. Case No.-63 Year-2024 Thana- Excise P.S. District- Saran

Akhalesh Ray @ Akhalesh Kr. Ray @ Akhalesh Rai Son of Late Motilal Ray  
@ Late Mati Ray Resident of Village- Fulwariya Tola Moajampur @  
Mojampur, P.S.- Awtarnagar, District- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Raghwendra Pratap Singh, Advocate  
For the Opposite Party/s : Ms. Gulnar Begum. APP

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

ORAL ORDER

2      23-01-2025                      Heard learned counsel for the petitioner and learned  
APP for the State.

2.      The petitioner seeks bail in connection with  
Mashrakh Excise PS Case No. 63 of 2024 instituted for the  
offences under Sections 30(a) and 32(3) of the Bihar Prohibition  
and Excise Act.

3.      The prosecution case, in short, is that total 231.12  
litres of foreign liquor was recovered from Truck.

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. It is submitted  
that petitioner is the driver of the seized truck and he has no



knowledge regarding the nature of goods booked by the transporter. The petitioner is in custody since 22.10.2024 and has got one criminal antecedent. There is no compliance of Section 103 of B.N.S.S.

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 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) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Mashrakh Excise PS Case No. 63 of 2024.

**(Rudra Prakash Mishra, J)**

Raj Ranjan/-

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