

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1633 of 2025

Arising Out of PS. Case No.-325 Year-2024 Thana- Excise P.S. District- Samastipur

Raj kumar Son of Maheshwar Mahto village- Kewas jagir, Ps- Muffasil, Dist-
Samstipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shubhesh Pandey, Advocate

For the Opposite Party/s : Mr. Awadhesh Kumar Singh, APP

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

ORAL ORDER

2 07-02-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Excise
PS Samastipur Case No. 325 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 total 65.265
litres of foreign liquor was recovered from plastic sack near
Hanuman Temple.

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 recovery is made from an open place, which is accessible to



one and all. The petitioner is in custody since 16.12.2024 and has got no criminal antecedent. There is no compliance of Section 103 of B.N.S.S. Other co-accused has been granted regular bail passed by this Court *vide* order dated 30.01.2025 in Cr. Misc. No. 3188 of 2025.

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) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Excise PS Samastipur Case No. 325 of 2024.

(Rudra Prakash Mishra, J)

Raj Ranjan/-

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