

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1285 of 2025

Arising Out of PS. Case No.-368 Year-2024 Thana- GORAUL District- Vaishali

Mohit Kumar Sharma S/o Balvir Sharma @ Valveer Resident of village-
Nagla Amar Singh, PS- Jasrana, District- Firojabad Uttar Pradesh

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anish Kumar, Adv.

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

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

ORAL ORDER

2 10-01-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Goraul
P.S. Case No. 368 of 2024 instituted for the offences
punishable under Sections 30(a), 32(ii), 41(i) of the Bihar
Prohibition and Excise Act.

3. The prosecution case, in short, is that total 3870
litres of illicit liquor was recovered from the truck bearing
Regd. No. UP81ET9003.

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 not the owner of the alleged truck. The petitioner is the driver of the alleged truck but, had no knowledge of the illicit liquor being kept on the same. Charge-sheet has been submitted in this case. The petitioner has got no concern with the alleged recovery of liquor. The petitioner is in custody since 23.09.2024 and has no criminal antecedent. There is no compliance of Section 103 of the Bharatiya Nagarika Suraksha Sanhita, 2023. Learned counsel for the petitioner further submits that the co-accused Anil Yadav has already been granted bail by this Court vide order dated 22.11.2024 passed in Cr. Misc. No. 81753 of 2024.

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, the period of custody undergone by the petitioner and the petitioner having no criminal antecedent, 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 Goraul P.S. Case No. 368 of 2024.

(Rudra Prakash Mishra, J)

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