

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3732 of 2025

Arising Out of PS. Case No.-1 Year-2025 Thana- Excise Thana Hajipur District- Vaishali

Sudhir Kumar Son of Bijendra Ray Resident of Village- Marufganj, PS-
Malsalami, Distt.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhola Prasad, Adv.

For the Opposite Party/s : Ms. Meena Singh, APP

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

ORAL ORDER

3 18-03-2025 From perusal of the office-notes, it appears that the case diary has not been received as yet. However, in the interest of justice, the present case is being disposed of in absence of the case diary.

2. Heard learned counsel for the petitioner and learned APP for the State.

3. The petitioner seeks bail in connection with Hajipur Excise P.S. Case No. 01 of 2025 instituted for the offences under Section 30(a), 32(1), (3) of the Bihar Prohibition and Excise Act.

4. As per prosecution case, the police has recovered total 600 liters of illicit country made



liquor from the Tempo bearing Regd. No. BR31GD-0055.

5. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence as alleged against him and has falsely been implicated in the present case. He further submits that nothing incriminating has been recovered from the conscious possession of the petitioner or from his house. The petitioner has no concern with the seized liquor. The petitioner, being a driver, was not aware of the contents of the material loaded on the alleged Tempo. There is a non-compliance of Section 103 of the B.N.S.S. which creates a serious doubt in the prosecution case. The petitioner has no criminal antecedent and is languishing in judicial custody since 01.01.2025 without any rhymes or reason.

6. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Having heard rival contention of both the parties and considering the entire facts and



circumstances of the case as also taking into account the period of custody of the petitioner and the petitioner having no criminal antecedent, let the petitioner, abovenamed, 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 Hajipur Excise P.S. Case No. 01 of 2025.

(Rudra Prakash Mishra, J)

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