

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5401 of 2025

Arising Out of PS. Case No.-84 Year-2024 Thana- NAWANAGAR District- Buxar

Om Prakash Singh S/O Shriram Singh Resident of Village- Bhadar, P.S-
Sikraul, District- Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Dr. Kamal Deo Sharma, Advocate

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

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

ORAL ORDER

2 29-01-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in Nawanagar (Basudeva
O.P.) P.S. Case No. 84 of 2024, instituted for the offences
punishable under Section 30(a) of the Bihar Prohibition and
Excise Act.

3. The prosecution case, in short, is that, 97 liters
liquor was recovered from motorcycle.

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. Learned counsel
for the petitioner also submits that the petitioner is neither



owner nor rider of the motorcycle in question. The petitioner was not arrested on spot. Name of the petitioner has transpired in this case on the basis of disclosure made by local chaukidar. The petitioner is in custody since 05.12.2024 and has got four criminal antecedents in which he is on bail in all the cases. Learned counsel for the petitioner further submits that similarly situated co-accused has been granted regular bail by this Court vide order dated 14.05.2024 passed in Cr. Misc. No. 36889 of 2024. There is no compliance of Section 103 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

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 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/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Nawanagar (Basudeva O.P.) P.S. Case No. 84 of 2024.

(Rudra Prakash Mishra, J)

Rajorshi/-

U		T	
---	--	---	--

