

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10503 of 2025

Arising Out of PS. Case No.-412 Year-2024 Thana- BRAHMPUR District- Buxar

Vicky Tiwari S/o- Kashinath Tiwari Resident of Village- Barki Nainijor, P.S.-
Nainijor, Brahmpur, District- Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anand Kumar Ojha, Advocate

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

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

ORAL ORDER

2 24-02-2025 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with
Brahampur (Nainijor) PS Case No. 412 of 2024 instituted for
the offences under Section 30(a) of the Bihar Prohibition and
Excise Act and 25(1-B) a, 26 of the Arms Act.

3. The prosecution case, in short, is that total 69.180
litres of liquor was recovered from bush and one country made
loaded pistol and 5 live cartridges was also recovered.

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 18.08.2024 and has got four criminal antecedents. There is no compliance of Section 103 of B.N.S.S. Charge-sheet has been submitted in this case.

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) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Brahampur (Nainijor) PS Case No. 412 of 2024.

(Rudra Prakash Mishra, J)

Raj Ranjan/-

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