

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8903 of 2025

Arising Out of PS. Case No.-445 Year-2024 Thana- BAIRIYA District- West Champaran

Ramu Kushwaha @ Ramu Kumar Son of Suresh Kushwaha @ Suresh Prasad
Kushwaha Resident of Village - Bairiya Tiwari Tola Ward No. 08, Police
Station - Bairiya, District - West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sarvesh Kashyap, Advocate

For the Opposite Party/s : Mr. Nitya Nand Tiwary, APP

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

ORAL ORDER

2 19-02-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Bairiya PS Case No. 445 of 2024 instituted for the offences
under Sections 274, 275 of B.N.S. and 30(a) and 41 of the
Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total
68.400 litres of foreign 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. It is submitted that motorcycle bearing Registration No. BR22BC-1087 in question does not belong to the petitioner. 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.

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) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Bairiya PS Case No. 445 of 2024.

(Rudra Prakash Mishra, J)

Raj Ranjan/-

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