

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11310 of 2025

Arising Out of PS. Case No.-852 Year-2024 Thana- MOTIHARI TOWN District- East
Champaran

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Bijay Kumar @ Vijay Kumar @ Vijay Prasad Son of Late Jagarnath Prasad @
Saheb R/O-Village-Nakchhed Tola, P.S.-Town, District-East Champaran,
Motihari

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Sharda Nand Mishra, Advocate Mr. Dhananjay Kumar Gupta, Advocate Mr. Dhamdev Kumar, Advocate Mr. Atul Kumar, Advocate
For the Opposite Party/s :		Mr. Sanjay Kumar, APP

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**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 Town
PS Case No. 852 of 2024 instituted for the offences under
Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total 28 litres
of country made 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 in question does not belong to the petitioner. It is further submitted that the name of the petitioner has transpired on secret information. The petitioner is in custody since 31.12.2024 and has got one criminal antecedent in which he is on bail. 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 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 Town PS Case No. 852 of 2024.

(Rudra Prakash Mishra, J)

Raj Ranjan/-

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