

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13024 of 2025

Arising Out of PS. Case No.-6 Year-2025 Thana- BIHTA District- Patna

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Ashok Rai S/o Gyanchand Rai R/o - Pathlautiya, P.S. - Bihta, District - Patna
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ghanshyam Tiwary, Advocate

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

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

ORAL ORDER

2 27-02-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Special Case No. 83 of 2025 arising out of Bihta PS Case
No. 06 of 2025 instituted for the offences under Sections
30(a), 32 and 40 of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that 800 litres
of country made liquor was recovered from twenty plastic
sacks and 560 litres of liquor was destroyed at the spot.

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 04.01.2025 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 Special Case No. 83 of 2025 arising out of Bihta PS Case No. 06 of 2025.

(Rudra Prakash Mishra, J)

Raj Ranjan/-

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