

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12113 of 2025

Arising Out of PS. Case No.-338 Year-2024 Thana- HARLAKHI District- Madhubani

Shravan Kumar @ Sarvan Kumar S/O Shatrudhan Mukhiya R/o Village-
Phulhar, P.S - Harlakhi, District - Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar, Advocate

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

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

ORAL ORDER

2 25-02-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Harlakhi PS Case No. 338 of 2024 instituted for the offences under Sections 274, 275, 3(5) of B.N.S. and 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total 720 litres of Nepali liquor was recovered from 6 bicycles near the border.

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. It is further submitted that petitioner was coming from Nepal with his bicycle, but merely on suspicion, was detained by police. The petitioner is in custody since 30.12.2024 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 Harlakhi PS Case No. 338 of 2024, subject to the following conditions:

(I) One of the bailors shall be own/close member of



the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Raj Ranjan/-

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