

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13920 of 2025

Arising Out of PS. Case No.-855 Year-2024 Thana- BIDUPUR District- Vaishali

Ramesh Kumar S/o- Harajee Ram Village- Raneri PS-Sindhari Distt- Barmer
Rajasthan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Nidhi Anand, Adv.

For the Opposite Party/s : Mr.Nagendra Prasad, APP

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

ORAL ORDER

3 14-05-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Bidupur P.S. Case No. 855 of 2024 instituted for the
offences under Sectios 238, 338, 336(3), 317(5) & 61(2) of
the B.N.S. and Sections 30(a), 36, 41(1) of the Bihar
Prohibition and Excise Act.

3. As per prosecution case, the police has recovered
total 2194.2 liters of illicit foreign liquor from the Container
vehicle. The petitioner was arrested on spot.

4. Learned counsel for the petitioner submits that
the petitioner is innocent and has committed no offence as



alleged against him and has falsely been implicated in the present case. He further submits that nothing incriminating has been recovered from the conscious possession of the petitioner. The petitioner has no concern with the seized liquor. The petitioner is the driver of the seized Container but, was not aware of the contents of the material loaded in the alleged Container. There is a non-compliance of Section 103 of the B.N.S.S. which creates a serious doubt in the prosecution case. The petitioner has no criminal antecedent and is languishing in judicial custody since 31.12.2024 without any rhymes or reason.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioner and the petitioner having no criminal antecedent, let the petitioner, abovenamed, 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 Bidupur P.S. Case
No. 855 of 2024.

(Rudra Prakash Mishra, J)

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