

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18266 of 2025

Arising Out of PS. Case No.-54 Year-2024 Thana- Bhelahi District- East Champaran

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Ajay Kushwaha Son of Jainarayan Kushwaha @ Ramnarayan Kushwaha R/o
village - Bharwaliya, P.S.- Bhelahi, District - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dhannjay Kumar II, Advocate

For the Opposite Party/s : Mr. Anil Kumar Singh No. 1, APP

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

ORAL ORDER

- 2 27-03-2025 1. Heard learned counsel for the petitioner and learned
APP for the State.
2. The petitioner seeks bail in connection with Bhelahi
P.S. Case No. 54 of 2024 instituted for the offences punishable
under Section 30(a) of the Bihar Prohibition and Excise Act.
3. The prosecution case, in short, is that total 21.400
litres of illicit liquor was recovered from motorcycle.
4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case. No
incriminating article has been recovered from the conscious
possession of the petitioner. Learned counsel further submitted
that petitioner is not the owner of the vehicle. The petitioner has
got no concern with the alleged recovery of liquor. The



petitioner is in custody since 28.12.2024 and has no criminal antecedent. There is no compliance of Section 103 of the Bharatiya Nagarika Suraksha Sanhita, 2023.

5. Learned APP 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 Bhelahi P.S. Case No. 54 of 2024.

(Rudra Prakash Mishra, J)

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