

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15787 of 2025

Arising Out of PS. Case No.-745 Year-2024 Thana- GARKHA District- Saran

Shibu @ Shubhash Kumar Son of Suresh Singh Resident of Village-
Sabalpur, P.S- Sonapur, Distt.- Chapra (Saran)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dharendra Prasad Sinha, Advocate
For the Opposite Party/s : Mr. Ram Anurag Singh, APP

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

ORAL ORDER

2 05-03-2025 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with Garkha
PS Case No. 745 of 2024 instituted for the offences under
Sections 30(a), 36, 38 and 41 of the Bihar Prohibition and
Excise Act.

3. The prosecution case, in short, is that total 594.720
litres of foreign liquor was recovered from Truck.

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 petitioner is neither the owner nor the driver of the seized



vehicle. It is further submitted that the name of the petitioner has transpired on the basis of confessional statement of apprehended co-accused person. The petitioner is in custody since 07.02.2025 and has got two criminal antecedents in which he is on bail. There is no compliance of Section 103 of B.N.S.S. Other co-accused has been granted regular bail by this Court *vide* order dated 05.02.2025 passed in Cr. Misc. No. 5137 of 2025.

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 Garkha PS Case No. 745 of 2024.

(Rudra Prakash Mishra, J)

Raj Ranjan/-

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