

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15609 of 2025

Arising Out of PS. Case No.-70 Year-2024 Thana- AUANGARI District- Nalanda

Rocky Kumar S/o Late Gopi Jamadar R/o Village- Fajilapur, PS- Islampur,
Dist- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar Singh, Advocate

For the Opposite Party/s : Mr. Nityanand Tiwary, APP

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

ORAL ORDER

2 17-03-2025 Heard Mr. Anil Kumar Singh, learned counsel for the
petitioner and Mr. Nityanand Tiwary, learned APP for the
State.

2. The petitioner seeks bail in connection with
Aungari PS Case No. 70 of 2024 instituted for the offences
under Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total 10
litres of country made liquor was recovered from plastic
bag.

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 the name of the petitioner has transpired on secret information. The petitioner is in custody since 07.01.2025 and has got three criminal antecedents. 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 Aungari PS Case No. 70 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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