

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19224 of 2025

Arising Out of PS. Case No.-371 Year-2024 Thana- Excise P.S. District- Khagaria

Subhash Kumar S/o- Late Ashok Sharma Village- Dhusmuri Bisanpur, Ward
no. 13, P.S. Gangaur, Distt. Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar Singh, Advocate
For the Opposite Party/s : Mr. Suresh Prasad Singh, APP

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

ORAL ORDER

2 28-03-2025 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with
Khagaria Excise PS Case No. 371 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 60 liters
country made liquor, gas cylinder and aluminium utensils were
recovered from house of the petitioner.

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. Petitioner was arrested on the spot. Learned counsel for the petitioner submits that recovery was made from other place, but police has shown that the recovery is made from the house of the petitioner and even if the same is taken on its face value, other family members also resides in the house of the petitioner. The petitioner is in custody since 14-12-2024 and has got no criminal antecedent. There is no compliance of Section 103 of the BNSS, 2023.

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 Khagaria Excise PS Case No. 371 of 2024.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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