

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18342 of 2025

Arising Out of PS. Case No.-80 Year-2025 Thana- DIGHA District- Patna

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Budh Dev Kumar S/O Gena Prasad @ Gena Ray R/O Nirala Nagar, Digha,
P.S.-Digha, Dist.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dharendra Prasad Sinha, Advocate

For the Opposite Party/s : Mr. Pushpa Sinha.1, APP

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

ORAL ORDER

2 28-03-2025 1. Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Digha
P.S. Case No. 80 of 2025 instituted for the offences punishable
under Sections 30(a), 32, 41(1) of the Bihar Prohibition and
Excise Act.

3. The prosecution case, in short, is that total 526.92
litres of foreign liquor was recovered from Bolero Car and Pick-
up van.

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 neither the owner nor the driver of the vehicles in question. The petitioner has got no concern with the alleged recovery of liquor. The petitioner is in custody since 03.02.2025 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 Digha P.S. Case No. 80 of 2025 .

(Rudra Prakash Mishra, J)

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