

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21715 of 2025

Arising Out of PS. Case No.-381 Year-2024 Thana- PUNPUN District- Patna

Kallu Kumar @ Ajay Kumar S/O Munna Ram Resident Of Village- Allaudin
Chak, Police Station- Punpun, District-Patna.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jay Ram Prasad, Advocate

For the Opposite Party/s : Dr. Mrityunjaya Kr.Gautam, APP

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

ORAL ORDER

2 08-04-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Punpun
P.S. Case No. 381 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, 100 liters
liquor was recovered from auto.

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. Learned counsel
for the petitioner also submits that the petitioner is only driver
and not owner of the tempo in question and he had got no



knowledge regarding the goods loaded in the vehicle. It is further submitted that the petitioner was not apprehended at the place of occurrence. Name of the petitioner has transpired in this case on the basis of confessional statement made by co-accused, namely, Mamta Kumari and the same has got no evidentiary value. The petitioner is in custody since 04.03.2025 and has got no criminal antecedent. There is no compliance of Section 103 of the Bharatiya Nagarik 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/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Punpun P.S. Case No. 381 of 2024.

(Rudra Prakash Mishra, J)

Rajorshi/-

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