

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21507 of 2025

Arising Out of PS. Case No.-6 Year-2025 Thana- BELA District- Sitamarhi

Manjeet Kumar S/O Late Ram Sharan Rai Resident Of Village- Baburban
Ward No. 2, P.S.- Parihar, Dist.- Sitamarhi.

... .. Petitioner/s

Versus

The State Of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar, Advocate
For the Opposite Party/s : Mr.Ramesh Chandra, APP

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

ORAL ORDER

2 17-04-2025 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner seeks bail in Bela P.S. case No.
06 of 2025 instituted for the offences under Section 317(5)
of Bharatiya Nyaya Sanhita, 2023 of the Bihar Prohibition
and Excise Act.

3. The prosecution case, in short, is that 330 liters
liquor was recovered out of which 66 liters liquor was
recovered from motorcycle. The petitioner was arrested on
spot.

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. Cognizance has been taken under Section 317(5) of B.N.S. and Section 30(a) of Bihar Prohibition and Excise Act. The petitioner has got no concern with the alleged recovery of liquor. It is further submitted that no separate case with regard to theft of motorcycle was registered, as such, no case under Section 317(5) of B.N.S. is made out against the petitioner. The motorcycle in question does not belong to the petitioner. The petitioner is in custody since 08.01.2025 and has got one criminal antecedent. There is no compliance of Section 103 of B.N.S.S., 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 Bela P.S.
case No. 06 of 2025.

(Rudra Prakash Mishra, J)

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