

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21718 of 2025**

Arising Out of PS. Case No.-52 Year-2025 Thana- CHAPRA MUFFASIL District- Saran

Avinash Kumar S/o Sarvan Ray R/o Vill.- Sandha, Bjaar Samiti, P.S. - Chapra
Muffasil, Distt.- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mirtunjay Kumar Tiwary, Advocate

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

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

ORAL ORDER

2 09-04-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Chapra
Muffasil P.S. Case No. 52 of 2025 instituted for the offences
punishable under Section 30(a) of the Bihar Prohibition and
Excise Act.

3. The prosecution case, in short, is that total 190 litres
of country-made liquor has been recovered from two cartons.

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 rather the recovery has been made
from plastic sack kept in an open place. The petitioner has got



no concern with the alleged recovery of liquor. The petitioner is in custody since 01.02.2025 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 Chapra Muffasil P.S. Case No. 52 of 2025.

(Rudra Prakash Mishra, J)

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