

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22171 of 2025

Arising Out of PS. Case No.-19 Year-2025 Thana- AMBA District- Aurangabad

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Prahlad Kumar @ Prahlad Gupta @ Prahlad Saw S/o Late Prmanad Saw @
Parmanand Saw Resident of Village- Singhpur, P.S.- Amba, Distt.-
Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjay Kumar, Adv.

For the Opposite Party/s : Mr. Nityanand Tiwary, APP

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

ORAL ORDER

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

Nityanand Tiwary, learned APP for the State.

2. The petitioner seeks bail in connection with Amba

P.S. Case No. 19 of 2025 (G.R. No. 61 of 2025) instituted

for the offences under Section 30(a) of the Bihar Prohibition

and Excise Act, 2018.

3. As per prosecution case, the police has recovered

total 302.76 liters of illicit foreign liquor from the Tempo. The

petitioner was arrested on the spot.

4. Learned counsel for the petitioner submits that

the petitioner is innocent and has committed no offence as

alleged against him and has falsely been implicated in the



present case. The petitioner is not the owner of the alleged Tempo rather the owner is one Dinesh Chaudhary whose son namely Pankaj Chaudhary was driving the same and he managed to escape from the place of occurrence. He further submits that nothing incriminating has been recovered from the conscious possession of the petitioner. The petitioner has no concern with the seized liquor. The petitioner was not aware of the contents of the material loaded in the alleged Tempo. There is a non-compliance of Section 103 of the B.N.S.S. which creates a serious doubt in the prosecution case. The petitioner has one criminal antecedent and is languishing in judicial custody since 03.02.2025 without any rhymes or reason.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioner, let the petitioner, abovenamed, 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 Amba P.S.
Case No. 19 of 2025 (G.R. No. 61 of 2025).

(Rudra Prakash Mishra, J)

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