

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28183 of 2025**

Arising Out of PS. Case No.-9 Year-2024 Thana- JITNA District- East Champaran

Krishnandan @ Kishnandan @ Krishnandan Kumar@ Kishnandan Kumar
S/o Brij Bihari Rai @ Brij Bihari Prasad Yadav R/o vill - Agarwa, P.S.- Jitna,
Distt.- East Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Chandan Prasad S/o Sri Dukhharan Mahto Through 71, S.S.B. Motihari,
East Champaran

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Kumar No.III, Adv.
For the Opposite Party/s : Mr.Mritunjay Kumar Nirala, APP
For the UOI : Ms. Punam Kumari Singh, CGC

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

ORAL ORDER

2 01-05-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Jitna
P.S. Case No. 9 of 2024 instituted for the offences under
Sections 30(a), 41(1) of the Bihar Prohibition and Excise Act.

3. As per prosecution case, the police has recovered
total 759 liters of Nepali liquor from the two motorcycles and
bicycle. The petitioner was arrested on 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. He further submits that nothing incriminating has been recovered from the conscious possession of the petitioner. The petitioner is not the owner of the seized motorcycle and was going through that way by his old cycle which was seized by the Informant with oblique motive. Charge-sheet has been submitted in this case and, hence, there is no chance of his absconding and tampering with the evidences. The petitioner has no concern with the seized liquor. 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 no criminal antecedent and is languishing in judicial custody since 06.08.2024 without any rhymes or reason. He further submits that the prayer for bail of the co-accused Vijay Kumar has already been allowed vide order dated 14.11.2024 passed by the Co-ordinate Bench of this Court.

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 and the petitioner having no criminal antecedent, 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 Jitna P.S. Case No. 9 of 2024.

(Rudra Prakash Mishra, J)

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