

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21729 of 2025

Arising Out of PS. Case No.-13 Year-2025 Thana- SAHARGHAT District- Madhubani

Md. Afroz s/o Murtuja Ali R/o village - Majgava, P.s.- Kamtaul, District - Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Gagan Deo Yadav, Advocate
	:	Mr. Vinod Kumar, Advocate
	:	Mr. Rajesh Kumar, Advocate
For the Opposite Party/s :	:	Mr. Abhay Kumar Roy, 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 Saharghat P.S. Case No. 13 of 2025 instituted for the offences punishable under Sections 274, 275 of the BNS and 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total 135 litres of Nepali liquor was recovered from Car.

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. Learned counsel further submitted



that the name of the petitioner has transpired in this case merely because he happens to be the owner of the vehicle and he had no knowledge regarding the goods loaded in the vehicle. The petitioner is in custody since 09.02.2025 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 Saharghat P.S. Case No. 13 of 2025.

(Rudra Prakash Mishra, J)

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