

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22923 of 2025

Arising Out of PS. Case No.-60 Year-2021 Thana- NARALI KALA KHURD District-
Aurangabad

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Om Prakash @ Chhotu Singh @ Om prakash Singh S/o Bhuwaneshwar
Prasad Singh R/o Village- Kachara, Ward No. 3, P.S.- Hussainabad, District-
Palamu (Jharkhand)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Aman Vishal

For the Opposite Party/s : Mr.Mritunjay Kumar Nirala

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 30-04-2025 Heard learned Counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending arrest in connection
with Narari Kala Khurd P.S. Case No. 60/2021 registered on
11.12.2021 for the offences punishable under Section 30(a) of
the Bihar Prohibition and Excise (Amendment) Act, 2018.

3. As per the prosecution, the present case pertains to
the recovery of 2302.5 liters of country-made liquor, which was
being transported in a pickup van.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. It is
contended that the petitioner is neither the driver nor the
registered owner of the vehicle from which the alleged recovery



was made. His name has surfaced in the present case solely on the basis of a disclosure statement made by a co-accused. The petitioner does not have a clean criminal antecedent, as he is an accused in another criminal case, but in that case he has already been granted bail. It is further submitted that the petitioner is a student pursuing his Master's degree in M.Tech from Ramchandra Chandravanshi University, Palamu (Jharkhand). Learned counsel has also requested that the case diary be called for, to ascertain the veracity of the petitioner's alleged involvement and to assess his claim of innocence.

5. On the other hand, learned APP for the State opposes the prayer for bail and submits that there is no necessity to call for the case diary, as the learned Sessions Judge has already referred to and discussed the relevant materials and contents of the case diary. It is pointed out that the vehicle in question was, in fact, sold to the petitioner, and in this regard, a transfer agreement has been executed, duly notarized under Oath No. 1625 dated 25.10.2021, bearing the signatures of both parties involved in the transaction.

6. In this background, this Court is not inclined to grant bail to the petitioner. Accordingly, the prayer for bail of the petitioner in connection with Narari Kala Khurd P.S. Case



No. 60/2021, pending before the learned Special Judge, Excise,
Second, Aurangabad is hereby rejected.

(Dr. Anshuman, J)

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