

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24732 of 2025

Arising Out of PS. Case No.-792 Year-2022 Thana- FATEHPUR District- Gaya

Sideshwar Kumar@Sidheshwar Kumar S/o Ramswarup Yadav R/o Village-Dundu, P.S.- Fatehpur, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Braj Kishore Pd., APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 22-04-2025 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail in connection with Fathepur PS Case No. 792 of 2022 instituted for the offences under Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that 300 liters liquor was recovered from three motorcycles, out of which 100 liters liquor is said to be recovered from the petitioner's motorcycle.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. No incriminating material has been recovered from the conscious possession of the petitioner. The petitioner has got



no concern with the alleged recovery of liquor. It is submitted that motorcycle in question is sold to Manoj Kumar on stamp paper. The petitioner is in custody since 23-02-2025 and has got no criminal antecedent. There is no compliance of Section 103 of the BNSS, 2023.

5. Learned A.P.P. 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, clean antecedent of the petitioner 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 Fathepur PS Case No. 792 of 2022.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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