

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25452 of 2025

Arising Out of PS. Case No.-12 Year-2025 Thana- PAUTHU District- Aurangabad

Vivek Kumar @ Bivek Kumar S/O Jitan Mistry R/O Vill.- Bagha Soti, P.S.-
Rafiganj, Dist.- Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Mukul Kumari, Advocate

For the Opposite Party/s : Mrs. Pronoti Singh, APP

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

ORAL ORDER

2 24-04-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Pauthu
P.S. Case No. 12 of 2025, instituted for the offences punishable
under Sections 30(a), 30(c) and 30(d) of the Bihar Prohibition
and Excise Act.

3. The prosecution case, in short, is that, 92 liters
liquor was recovered from beside Dhaba river and the petitioner
was apprehended on spot.

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. Learned counsel for the petitioner also submits that the alleged recovery has been made from an open place and the same is easily accessible to public at large. The alleged place does not belong to the petitioner. The petitioner is in custody since 07.02.2025 and has got one criminal antecedent in which he is on bail. There is no compliance of Section 103 of the Bharatiya Nagarik 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/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Pauthu P.S. Case No. 12 of 2025.

(Rudra Prakash Mishra, J)

Rajorshi/-

U		T	
---	--	---	--

