

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26515 of 2025

Arising Out of PS. Case No.-85 Year-2025 Thana- AWTARNAGAR District- Saran

Akash Kumar Son of Ramesh Rai R/O Village- Sabbalpur Babhan Toli, P.S.-
Sonepur, District- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vasant Vikas, Advocate

For the Opposite Party/s : Mr. Murli Dhar, APP

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

ORAL ORDER

3 22-07-2025 Heard learned counsel for the petitioner, learned APP
for the State and perused the case diary.

2. The petitioner seeks bail in connection with Awtarnagar P.S. Case No. 85 of 2025, instituted for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that, 673.92 liters liquor was recovered from truck 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 petitioner is driver of the truck in question and he has got no knowledge with regard to the nature of goods loaded in the vehicle. The petitioner is in custody since 20.03.2025 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 Awtarnagar P.S. Case No. 85 of 2025.

(Rudra Prakash Mishra, J)

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