

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29885 of 2025

Arising Out of PS. Case No.-242 Year-2025 Thana- Excise P.S. District- Gaya

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Rohit Kumar @ Rohit Yadav S/o Vijay Yadav Resident of village- Bhawari
Kala, P.S.- Fatehpur, Distt.- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Anil Kumar Saxena, Advocate

For the Opposite Party/s : Mr.Shailendra Kumar Singh, APP

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

ORAL ORDER

2 07-05-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in Excise P.S. case No.
242 of 2025 instituted for the offences under Sections 30(a) and
32(c) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that 84 liters liquor
was recovered from motorcycle. The petitioner was arrested 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. It is



further submitted that the motorcycle in question does not belong to the petitioner. The petitioner was just a passersby of the way and he has become the victim of circumstances. The petitioner is in custody since 03.03.2025 and has got no criminal antecedent. There is no compliance of Section 103 of B.N.S.S., 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 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 Excise P.S. case No. 242 of 2025.

(Rudra Prakash Mishra, J)

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