

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26802 of 2025

Arising Out of PS. Case No.-56 Year-2018 Thana- DALSINGHSARAI District- Samastipur

Shree Naresh Das @ Naresh Das S/O Late Nanhki Das Resident of Vill.-
Gangapur, P.S- Musrigharari, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bijay Bhushan Prasad, Advocate
For the Opposite Party/s : Mr.Rajendra Singh, APP

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

ORAL ORDER

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

2. The petitioner seeks bail in Dalsinghsarai P.S. case
No. 56 of 2018 instituted for the offences under Sections 272,
273 of the Indian Penal Code and Sections 30(a), 38(1), 38(2)
and 41(1) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that 882 liters
liquor was recovered from Tata vehicle.

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 petitioner is neither owner nor driver of the vehicle in question. The petitioner is nowhere involved in the trade of liquor. The petitioner is in custody since 06.03.2025 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 Dalsinghsarai P.S. case No. 56 of 2018.

(Rudra Prakash Mishra, J)

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