

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27762 of 2025

Arising Out of PS. Case No.-54 Year-2025 Thana- BARHARA District- Bhojpur

Kishan Lal Benival @ Kishan Lal Son of Moda Ram R/O- Ratasar, P.S.-
Chauthan, District- Barmer, Rajasthan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Braj Kishore Pd.(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 Barhara P.S. Case No. 54 of 2025, instituted for the offences punishable under Sections 30(a), 32(1) and 41(1) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that 1268.25 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 18.03.2025 and has got no criminal antecedent. 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 Barhara P.S. Case No. 54 of 2025.

(Rudra Prakash Mishra, J)

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