

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27913 of 2025

Arising Out of PS. Case No.-102 Year-2025 Thana- Excise P.S. District- Buxar

MD. ARIF @ ARIF S/O KHURSHID ALAM R/o vill - Sathiyam Chauk, P.S.-
Mubarkpur, Distt.- Azamgarh (U.P)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravi Shankar Pathak, Advocate

For the Opposite Party/s : Mr. Suresh Prasad Singh, APP

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

ORAL ORDER

2 01-05-2025 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with Buxar
Excise PS Case No. 102 of 2025 instituted for the offences
under Section 30(a) of the Bihar Prohibition and Excise Act and
Sections 3(5) & 61(2) of the Bharatiya Nyaya Sanhita, 2023.

3. The prosecution case, in short, is that 126.540 liters
foreign liquor was recovered from car.

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 submitted



that petitioner is neither the owner nor the driver of the car in question. The petitioner is in custody since 08-03-2025 and has got no criminal antecedent. There is no compliance of Section 103 of the BNSS, 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 of the petitioner 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 Buxar Excise PS Case No. 102 of 2025.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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