

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28658 of 2025

Arising Out of PS. Case No.-385 Year-2024 Thana- BALIYA District- Begusarai

Md. Jahid Son of Md. Alam R/o Village - Khudandih, P.O.- Kankomath, P.S.-
Katrassarh Kanko, Dhanbad, Jharkhand.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arvind Kumar, Advocate

For the Opposite Party/s : Mr. Sunil Kumar Pandey, APP

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

ORAL ORDER

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

2. The petitioner seeks bail in connection with Ballia
P.S. Case No. 385 of 2024 instituted for the offences punishable
under Sections 292, 61(2) of the BNS and 30(a), 32, 41(1), 41(2)
of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total 693 litres
of liquor was recovered from pickup vehicle.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case. No
incriminating article has been recovered from the conscious
possession of the petitioner. Learned counsel further submitted
that petitioner is not the owner of the vehicle. It is further



submitted that name of the petitioner transpired in this case as being driver of the vehicle in question and had no knowledge regarding the goods loaded in the vehicle. The petitioner is in custody since 07.12.2024 and has no criminal antecedent. There is no compliance of Section 103 of the Bharatiya Nagarika 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, 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 Ballia P.S. Case No. 385 of 2024.

(Rudra Prakash Mishra, J)

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