

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28799 of 2025

Arising Out of PS. Case No.-52 Year-2025 Thana- Excise P.S. District- Saran

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Jay Prakesh Kumar @ Jay Prakash Kumar S/o Late SatrudhanParasad @
Shatrughan Parasad Resident of Ward No. 29, Sahebganj, Sonar Patti, P.S.-
Chapra Town, Distt.- Saran, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Abhijeet Abhigyan, Advocate

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

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

ORAL ORDER

2 06-05-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in Sadar Excise P.S. case
No. 52 of 2025 instituted for the offences under Sections 30(a)
and 32(3) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that 42 liters liquor
was recovered from Toto vehicle and 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 petitioner is owner-cum-driver of the vehicle and the said vehicle runs as public vehicle. The petitioner has no knowledge regarding the nature of goods kept in the vehicle. The petitioner is not involved in illegal transportation of vehicle. The petitioner is in custody since 19.03.2025 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 Sadar Excise P.S. case No. 52 of 2025.

(Rudra Prakash Mishra, J)

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