

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29156 of 2025

Arising Out of PS. Case No.-138 Year-2025 Thana- BANJARIA District- East Champaran

Irshad Alam S/o Raju Alam R/o Village- Indra Nagar, P.S.- Chhatauna,
District- East Champaran, Motihari

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

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

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

ORAL ORDER

2 07-05-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Banjariya PS Case No. 138 of 2025 instituted for the offences
under Sections 274, 275 of B.N.S. and Section 30(a) of the
Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total 30 litres
of country made liquor was recovered from E-Rickshaw bearing
Registration No. BR-05-ER-4207.

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 seized vehicle. It is further submitted that petitioner is the passenger of the vehicle and he has no knowledge regarding the nature of goods kept in the vehicle. The petitioner is in custody since 04.03.2025 and has got no criminal antecedent. There is no compliance of Section 103 of B.N.S.S.

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 Banjariya PS Case No. 138 of 2025.

(Rudra Prakash Mishra, J)

Raj Ranjan/-

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