

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31448 of 2025

Arising Out of PS. Case No.-44 Year-2025 Thana- KUTUMBA District- Aurangabad

Avinash Kumar S/o Sri Akhilesh Mehta R/o Village- Godiyarpur, P.S.-
Kutumba, District- Aurangabad (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Birendra Kumar Singh, Adv.

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

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

ORAL ORDER

2 13-05-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Kutumba P.S. Case No. 44 of 2025 instituted for the offences
under Section 30(a) of the Bihar Prohibition and Excise Act,
2018.

3. As per prosecution case, the police has recovered
total 150 liters of illicit country-made liquor from the
motorcycle. The petitioner was arrested on the spot.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence as alleged
against him and has falsely been implicated in the present case
due to dirty village politics. He further submits that nothing



incriminating has been recovered from the conscious possession of the petitioner. The petitioner has no concern either with the seized liquor or with the alleged motorcycle. There is a non-compliance of Section 103 of the B.N.S.S. which creates a serious doubt in the prosecution case. The petitioner has no criminal antecedent and is languishing in judicial custody since 12.03.2025 without any rhyme or reason.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioner and the petitioner having no criminal antecedent, let the petitioner, abovenamed, 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 Kutumba P.S. Case No. 44 of 2025.

(Rudra Prakash Mishra, J)

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