

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32260 of 2025

Arising Out of PS. Case No.-91 Year-2025 Thana- BANJARIA District- East Champaran

Bihari Kumar Son of Saryug Sah Village- Fhulwar, Ps- Banjaria, dist- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajeev Ranjan, Adv.

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

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 15-05-2025 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail in connection with Banjaria P.S. Case No. 91 of 2025 instituted for the offences under Sections 274, 275 of the B.N.S. and Sections 30(a) of the Bihar Prohibition and Excise Act.

3. As per prosecution case, the police has recovered total 50 liters of illicit country-made liquor from motorcycle.

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 is not the owner of the alleged motorcycle. The petitioner has no concern with the seized liquor. 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 13.02.2025 without any rhymes or reason.

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

7. 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 Banjaria P.S. Case No. 91 of 2025.

(Rudra Prakash Mishra, J)

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