

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35653 of 2025

Arising Out of PS. Case No.-21 Year-2024 Thana- Haraiya District- East Champaran

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Sunil Kumar Prasad S/o- Vishwanath Prasad Resident of village- Govindapur
Ps- Harsidhi District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Umeshanand Pandit, APP

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

ORAL ORDER

2 20-06-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Haraiya
P.S. Case No. 21 of 2024 instituted for the offences punishable
under Sections 318(4), 338, 336(3), 340(2), 61(2) of the
Bharatiya Nyaya Sanhita and Sections 30(a), 41(1), 31, 33, 38,
47 of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total 4000
litres of spirit was recovered from go-down.

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 said go-down. The petitioner has got no concern with the alleged recovery of liquor. The petitioner is in custody since 05.11.2024 and has no criminal antecedent. There is no compliance of Section 103 of the Bharatiya Nagarika Suraksha Sanhita, 2023. The co-accused person has already been granted bail by this Court vide order dated 28.02.2025 passed in Cr. Misc. No. 1847 of 2025.

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, claim based on parity 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 Haraiya P.S. Case No. 21 of 2024.

(Rudra Prakash Mishra, J)

Alok Verma/-

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