

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34451 of 2025

Arising Out of PS. Case No.-40 Year-2025 Thana- SIRDALA District- Nawada

Chhotu Kumar S/o Late Mahendra Prasad @ Mahendra Rasad Resident Of
Village- Sidhaul, Ps- Sirdalla, District- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sheo Kumar Prasad, Advocate

For the Opposite Party/s : Mr. Ramesh Chandra, APP

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

ORAL ORDER

2 18-06-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Sirdalla P.S. Case No. 40 of 2025, instituted for the offences
punishable under Sections 30(a) and 41 of the Bihar Prohibition
and Excise Act.

3. The prosecution case, in short, is that, 230 liters
liquor was recovered from two motorcycles and the petitioner
was apprehended 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. Learned counsel
for the petitioner also submits that the petitioner is not the



owner of any of the motorcycles in question. The petitioner was a passerby of that way and was apprehended on the basis of suspicion. The petitioner is in custody since 13.02.2025 and has got no criminal antecedent. Learned counsel for the petitioner further submits that similarly situated co-accused has been granted regular bail by this Court vide order dated 17.03.2025 passed in Cr. Misc. No. 15416 of 2025. There is no compliance of Section 103 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

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 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/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Sirdalla P.S. Case No. 40 of 2025.

(Rudra Prakash Mishra, J)

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