

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41417 of 2025

Arising Out of PS. Case No.-61 Year-2025 Thana- DUMARIAGHAT District- East
Champaran

Arbind Kumar S/O Rambriksh Prasad Village- Puraina, P.S.- Dumariya Ghat,
District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Krishna Kant Singh, Advocate

For the Opposite Party/s : Mr. Gulnar Begum, APP

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

ORAL ORDER

2 09-07-2025 Let the defect pointed out by the Office be ignored.

2. Heard learned counsel for the petitioner and
learned APP for the State.

3. The petitioner seeks bail in connection with
Dumaria Ghat PS Case No. 61 of 2025 instituted for the
offences under Section/s 30(a) & 41(1) of the Bihar Prohibition
and Excise Act.

4. The prosecution case, in short, is that 151.875 liters
liquor was recovered from Bolero car.

5. 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 the owner of the vehicle in question and a person who took lift from the vehicle has left his luggage in his car and petitioner was unaware that the same was illicit liquor. The petitioner is in custody since 11-03-2025 and has got one criminal antecedent/s. There is no compliance of Section 103 of the BNSS, 2023.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. 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.

8. 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 Dumaria Ghat PS Case No. 61 of 2025, subject to following condition:-

(I) If the court below finds that petitioner has more than one criminal antecedent i.e., Dumariya Ghat PS Case No. 11 of 2022, in that event, the present bail order shall not be given effect to.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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