

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37659 of 2025

Arising Out of PS. Case No.-68 Year-2025 Thana- Excise P.S. District- Saran

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Amitabh Srivastava S/o Late Shyam Sundar Srivastava @ Shyam Sunder Prasad Shrivastava R/O Mohalla- Rafiganj, P.S.- Town, Distt.- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shekhar Harshvardhan, Advocate

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

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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 Excise Sadar PS Case No. 68 of 2025 instituted for the offences under Sections 30(a) & 32(c) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that 34.560 liters liquor was recovered from motorcycle.

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. It is submitted that petitioner is the owner of the motorcycle in question. The



petitioner is in custody since 13-04-2025 and has got one criminal antecedent. There is no compliance of Section 103 of the BNSS, 2023.

5. Learned A.P.P. 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/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Excise Sadar PS Case No. 68 of 2025.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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