

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36890 of 2025

Arising Out of PS. Case No.-9 Year-2025 Thana- Khawaspur District- Bhojpur

Tejan Mistri @ Tejan Ali S/O Late Sovrati Ansari R/O Village- Bairiya Rakba
Tola, P.S- Bairiya, District- Ballia (UP)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Diwakar, Adv.

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

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA
ORAL ORDER

2 17-06-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Khawashpur P.S. Case No. 09 of 2025 instituted for the offences
under Section 30(a) of the Bihar Prohibition and Excise
(Amendment) Act, 2018.

3. As per prosecution case, the police has recovered
total 87.45 liters of illicit foreign liquor from the Auto.

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.
The petitioner is alleged to be the driver of the alleged Auto. He
further submits that nothing incriminating has been recovered
from the conscious possession of the petitioner. The petitioner
has no concern either with the seized liquor or the alleged Auto.



The petitioner was not aware of the contents of the material loaded in the alleged Auto. 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 10.04.2025 without any rhymes or reason.

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

6. 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 Khawashpur P.S. Case No. 09 of 2025.

(Rudra Prakash Mishra, J)

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