

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39678 of 2025

Arising Out of PS. Case No.-164 Year-2025 Thana- UDWANTNAGAR District- Bhojpur

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Vinod Mushar son of Dadan Mushar @ Chotak Mushar R/o Vill-
Udawantagar Mushar Toli , P.S-Udawantagar , Distt.-Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shiv Prasad Gupta, Advocate

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

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

ORAL ORDER

2 24-06-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Udwanthnagar P.S. Case No. 164 of 2025 instituted for the
offences punishable under Section 30(a) of the Bihar Prohibition
and Excise Act.

3. The prosecution case, in short, is that total 209 litres
of liquor has been recovered from 3 plastic sacs.

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 rather the recovery has been made
from an open place. The petitioner has got no concern with the



alleged recovery of liquor. The petitioner is in custody since 09.04.2025 and has no criminal antecedent. There is no compliance of Section 102 of the Bharatiya Nagarika 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, clean antecedent 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 Udwantnagar P.S. Case No. 164 of 2025.

(Rudra Prakash Mishra, J)

Alok Verma/-

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