

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39249 of 2025

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

Durga Mushar Son of Baban Mushar, Resident of Udwanatnagar Mushar Toli,
P.S.- Udwanatnagar, District- Bhojpur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s	:	Mr. Shiv Prasad Gupta, Advocate
		Mr. Mickey Singh, Advocate
For the Opposite Party/s	:	Mr. Umeshanand Pandit, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 03-07-2025 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner apprehends his arrest in a case registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, 209 litres of illicit country made liquor has been recovered from the canal.

4. Learned counsel for the petitioner submits that petitioner has falsely been implicated in the present case merely on the basis of suspicion. Nothing incriminating has been recovered from the conscious possession of the petitioner. Name of petitioner transpired in the present case on the basis of secret information. Recovery of illicit country made liquor has been



made from the canal which is an open place and is accessible to one and all. Petitioner has no concern with the alleged recovery. Petitioner has got one criminal antecedent of similar nature in which he is on bail as mentioned in paragraph no. 3 of the bail petition.

5. Learned APP for the State has opposed the bail petition.

6. Considering the aforesaid facts and circumstances, let the petitioner, above-named, in the event of his arrest / surrender before the learned trial Court within a period of eight weeks from today, be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Judge-II, Bhojpur at Ara, in connection with **Udwantnagar P.S. Case No. 164 of 2025**, subject to the condition as laid down under Section 438(2) of the Cr.P.C. / Section 482(2) of the B.N.S.S., 2023.

(Prabhat Kumar Singh, J)

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