

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39590 of 2025

Arising Out of PS. Case No.-112 Year-2025 Thana- Excise P.S. District- Araria

Md. Nasimulla @ Nasimulla Son of Md. Jamil @ Jameel village- Pathraha,
Ghurna, Ps- Ghurna, Dist- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mrigendra Kumar, Adv.
For the Opposite Party/s : Mr.Harendra Prasad, APP

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 Araria
(Excise) P.S. Case No. 112 of 2025 instituted for the offences
under Section 30(a) of the Bihar Prohibition and Excise Act,
2016.

3. As per prosecution case, the police has recovered
total 108 liters of illicit Nepali liquor from the petitioner and
other co-accused persons who fled away from the place of
occurrence. The petitioner was alleged to be arrested on spot.

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
merely on the basis of suspicion. 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 co-accused person. 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 one criminal antecedent and is languishing in judicial custody since 06.04.2025 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, 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 Araria (Excise) P.S. Case No. 112 of 2025.

(Rudra Prakash Mishra, J)

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