

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.40075 of 2025**

Arising Out of PS. Case No.-82 Year-2025 Thana- ARA MUFFSIL District- Bhojpur

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Bihari Musahar @ Awadh Bihari Ram S/o- Ganeshi Musahar @ Ganesh Ram  
Mohalla -Jamira, Police Station- Arrah Muffasil, District- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Chandan Kumar Verma, Adv.

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

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

2      25-06-2025                      Heard learned counsel for the petitioner and learned  
APP for the State.

2. The petitioner seeks bail in connection with Arrah  
(Muffasil) P.S. Case No. 82 of 2025 instituted for the offences  
under Section 30(a) of the Bihar Prohibition and Excise Act,  
2018.

3. As per prosecution case, the police has recovered  
total 127.200 liters of illicit country-made liquor from the house  
of the petitioner.

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.  
He further submits that nothing incriminating has been  
recovered from the conscious possession of the petitioner. The  
house from where the alleged recovery of liquor has been made



is a dilapidated and empty ancestral house of the petitioner which was not in use for living and, thus, is accessible to one and all. 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 09.04.2025 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 Arrah (Muffasil) P.S. Case No. 82 of 2025.

**(Rudra Prakash Mishra, J)**

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