

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43027 of 2025

Arising Out of PS. Case No.-126 Year-2025 Thana- EXCISE DANAPUR District- Patna

Ayodhya Kumar son of Late Babu Saw Village -Dolatpur, Ward no 1, P.S
-Bihta, District -Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Jha, Advocate

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

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

ORAL ORDER

2 30-06-2025 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with Excise
Danapur P.S. Case No. 126 of 2025 instituted for the offences
under Section 30(a) of the Bihar Prohibition and Excise
(Amended) Act, 2018.

3. As per prosecution case, the police has recovered
total 140 liters of illicit country-made liquor from the sac. The
petitioner was arrested on the 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.
He further submits that nothing incriminating has been



recovered from the conscious possession of the petitioner. The petitioner has no concern with the seized liquor. 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 24.02.2025 without any rhymes or reason. Other co-accused has been granted bail by this Court vide order dated 07-05-2025, passed in Cr. Misc. No. 29057 of 2025.

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 Excise Danapur P.S. Case No. 126 of 2025.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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