

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46237 of 2025

Arising Out of PS. Case No.-99 Year-2025 Thana- BARHIYA District- Lakhisarai

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Akash Kumar Son of Sanjay Kumar Choudhary Resident of Village -
Sadlichak, P.S.- Gaurichak, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jainendra Kumar Pushkar, Advocate

For the Opposite Party/s : Mr. Khurshid Anwar, APP

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

ORAL ORDER

2 21-07-2025 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner seeks bail in connection with

Barhiya PS Case No. 99 of 2025 instituted for the offences

under Section 30(a) of the Bihar Prohibition (Amendment)

and Excise Act, 2018.

3. The prosecution case, in short, is that total 36

litres of foreign liquor was recovered from yellow bag.

4. Learned counsel for the petitioner submits that

the petitioner is innocent and has falsely been implicated in

the present case. No incriminating material has been

recovered from the conscious possession of the petitioner.

The petitioner has got no concern with the alleged recovery



of liquor. It is submitted that recovery is made from the open place which is accessible to one and all. The petitioner is in custody since 11.05.2025 and has got clean antecedent. There is no compliance of Section 103 of B.N.S.S.

5. Learned A.P.P. 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 of the petitioner 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 Barhiya PS Case No. 99 of 2025.

(Rudra Prakash Mishra, J)

Raj Ranjan/-

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