

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41779 of 2025

Arising Out of PS. Case No.-143 Year-2025 Thana- EXCISE SHERGHATI District- Gaya

Dharmendra Das Son of Vilash Das RO Village -Ambakhar PS -Raushanganj
District -Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shivam Prerna, Advocate

For the Opposite Party/s : Mr. Nityanand Tiwary, APP

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

ORAL ORDER

2 03-07-2025 Heard Mr. Shivam Prerna, learned counsel for the
petitioner and Mr. Nityanand Tiwary, learned APP for the State.

2. The petitioner seeks bail in connection with Excise
Sherghati P.S. Case No. 143 of 2025 instituted for the offences
punishable under Sections 30(a), 32(c) of the Bihar Prohibition
and Excise Act.

3. The prosecution case, in short, is that total 120 litres
of liquor was recovered from motorcycle.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case. No
incriminating article has been recovered from the conscious
possession of the petitioner. Learned counsel further submitted
that petitioner is not the owner of the vehicle. The petitioner has



got no concern with the alleged recovery of liquor. The petitioner is in custody since 06.05.2025 and has no criminal antecedent. There is no compliance of Section 103 of the Bharatiya Nagarika Suraksha Sanhita, 2023.

5. Learned APP 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 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 Excise Sherghati P.S. Case No. 143 of 2025.

(Rudra Prakash Mishra, J)

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