

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44550 of 2025

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

Vijay Rai S/o Late Dehari Rai @ Late Girdhari Rai Present Add Didarganj
Kharihana, PS- Didarganj, Distt- Patna, Parmanent Add Jafrabad Dih, PS-
Raghopur, District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arvind Kumar Pradhan, Advocate

For the Opposite Party/s : Mrs. Renu Kumari, APP

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

ORAL ORDER

2 15-07-2025 Heard Mr. Arvind Kumar Pradhan, learned counsel

for the petitioner and Mrs. Renu Kumari, learned APP for the

State.

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

3. The prosecution case, in short, is that, 60 liters
liquor was recovered from jute bag and the petitioner was
apprehended on spot.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. Charge-sheet has been submitted in this 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. Learned counsel for the petitioner also submits that the alleged recovery has been made from an open place and the same is easily accessible to the public at large. It is further submitted that the petitioner was a passerby of that way and was arrested on the basis of suspicion. The petitioner is in custody since 19.04.2025 and has got no criminal antecedent. There is no compliance of Section 103 of the Bharatiya Nagarik 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/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Didarganj P.S. Case No. 126 of 2025.

(Rudra Prakash Mishra, J)

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