

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45554 of 2025

Arising Out of PS. Case No.-166 Year-2025 Thana- CHIRAIYA District- East Champaran

Suraj Kumar S/O Shambhu Ram R/O Village- Baidhyanathpur , P.S.-
Chiraiya, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Prerna Rishi, Advocate

For the Opposite Party/s : Mr. Shyam Bihari Singh, APP

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

ORAL ORDER

2 17-07-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Chiraiya P.S. Case No. 166 of 2025, instituted for the offences punishable under Section 317(5) of the Bharatiya Nyaya Sanhita, 2023, read with Sections 30(a) and 41(1) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that, 50 liters liquor was recovered from motorcycle 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. 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 there is no direct or indirect involvement of the petitioner in this case and he was apprehended on the basis of suspicion. The petitioner is in custody since 27.04.2025 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 Chiraiya P.S. Case No. 166 of 2025.

(Rudra Prakash Mishra, J)

Rajorshi/-

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