

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47307 of 2025

Arising Out of PS. Case No.-167 Year-2025 Thana- CHIRAIYA District- East Champaran

Usullah @ Usaiullah S/o Maren Miya @ Manir Miya R/o Village- Dipahi
Sekhtoli, P.S.- Chairaiya, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Md Ziaul Quamar, Advocate

For the Opposite Party/s : Mr. Chandra Bhushan Prasad, APP

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

ORAL ORDER

2 23-07-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Chiraiya PS Case No. 167 of 2025 instituted for the offences
under Sections 317(5) of B.N.S. and Sections 30(a) and 41(1) of
the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total 18 litres
of Nepali liquor was recovered from Motorcycle bearing
Registration No. BR05BG-7035.

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 motorcycle in question does not belong to the petitioner. The petitioner is in custody since 27.04.2025 and has got no criminal 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 Chiraiya PS Case No. 167 of 2025.

(Rudra Prakash Mishra, J)

Raj Ranjan/-

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