

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48067 of 2025

Arising Out of PS. Case No.-793 Year-2025 Thana- AHIYAPUR District- Muzaffarpur

Deepak Kumar Son of Gyani Ray Resident of Village- Ahiyapur, P/S-
Ahiyapur, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok, Advocate

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

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

ORAL ORDER

2 24-07-2025 Heard Mr. Alok Kumar Alok, learned counsel for

the petitioner and Mr. Nitya Nand Tiwary, learned APP for

the State.

2. The petitioner seeks bail in connection with

Ahiyapur PS Case No. 793 of 2025 instituted for the

offences under Section 30(a) of the Bihar Prohibition and

Excise Act.

3. The prosecution case, in short, is that total 333

litres of foreign liquor was recovered from Bathan of co-

accused and there is also recovery of two Motorcycles, one

Scooty and one Tempo.

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 place of co-accused and not from the petitioner. It is further submitted that seized vehicles do not belong to the petitioner, he is only the passerby of the way. The petitioner is in custody since 10.06.2025 and has got four criminal antecedents in which he is on bail. 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 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 Ahiyapur PS Case No. 793 of 2025, subject to the following



conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Raj Ranjan/-

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