

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50928 of 2025

Arising Out of PS. Case No.-406 Year-2025 Thana- Excise P.S. District- Sitamarhi

AKASH KUMAR S/o Late Ramesh Prasad Yadav Resident of Village-
Lalbandi Darbar, Ward no.- 03, P.S.- Sonbarsa, Dist. - Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Pushpendra Kumar Singh, Advocate Smt. Divya Bharti, Advocate
For the Opposite Party/s	:	Mr. Md. Fahimuddin, APP

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

ORAL ORDER

2 04-08-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Sitamarhi Prohibition P.S. Case No. 406 of 2025, instituted for
the offences punishable under Sections 30(a) and 32(3) of the
Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that 216 liters
liquor was recovered from two motorcycles 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 the petitioner is not the owner of any of the motorcycles in question. The petitioner is in custody since 17.06.2025 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 Sitamarhi Prohibition P.S. Case No. 406 of 2025.

(Rudra Prakash Mishra, J)

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