

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54091 of 2025

Arising Out of PS. Case No.-304 Year-2025 Thana- GARDANIBAG District- Patna

Umesh Kumar S/o of Ranjit Ram Resident of Village- Dangoli, P.S.-Murar,
District-Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Radha Mohan Singh, Advocate

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

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

ORAL ORDER

2 13-08-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in Gardanibagh P.S. case
No. 304 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 1178.82 liters
liquor was recovered from tractor and trolley.

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
further submitted that recovery is made from an open place



accessible to one and all. The petitioner is not the owner of the tractor and trolley in question. The petitioner is driver of the tractor and he had no knowledge regarding the nature of goods kept in tractor. The petitioner is in custody since 02.06.2025 and has got no criminal antecedent. There is no compliance of Section 103 of B.N.S.S., 2023.

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 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.15,000/- (Fifteen thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Gardanibagh P.S. case No. 304 of 2025.

(Rudra Prakash Mishra, J)

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