

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51716 of 2025

Arising Out of PS. Case No.-295 Year-2025 Thana- BARUN District- Aurangabad

Mahendra Kumar S/o Sanjay Chaudhari R/o Village- Khajuri farm, P.S.-
Barun, District- Aurangabad, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Rupa Kumari, Adv.

For the Opposite Party/s : Mr.Madhura Nand Jha, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA
ORAL ORDER

2 05-08-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Barun
P.S. Case No. 295 of 2025 instituted for the offences under
Sections 30(a), 33, 36 of the Bihar Prohibition and Excise Act.

3. As per prosecution case, the police has recovered
total 1560 liters of illicit spirit from the pick-up vehicle.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence as alleged
against him and has falsely been implicated in the present case.
Petitioner is the driver of the alleged pick-up van and was only
obeying the order of his owner to deliver the consignment to the
address given by the owner of the vehicle and, as such, he was
unaware of the illicit spirit being kept in the same. He further
submits that nothing incriminating has been recovered from the



conscious possession of the petitioner. The petitioner has no concern with the seized liquor. The petitioner has never indulged either in manufacturing or trading of the illicit liquor. There is a non-compliance of Section 103 of the B.N.S.S. which creates a serious doubt in the prosecution case. The petitioner has no criminal antecedent and is languishing in judicial custody since 12.06.2025 without any rhyme or reason.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioner and the petitioner having no criminal antecedent, let the petitioner, abovenamed, 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 Barun P.S. Case No. 295 of 2025.

(Rudra Prakash Mishra, J)

rishi/-

U		T	
---	--	---	--

