

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54662 of 2025

Arising Out of PS. Case No.-295 Year-2025 Thana- EXCISE MASAUDHI District- Patna

Ashik Kumar S/o Sanjay Ram R/O- Sangrampur,P.S.- Bikram, Distt-Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Jiban Pd. Singh, Advocate

For the Opposite Party/s : Mr. Mohammed Arif, 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 connection with Excise Masaurhi PS Case No. 295 of 2025 instituted for the offences under Section/s 30(a), 32(3) & 56(c) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that 100 liters liquor was recovered from CNG 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 petitioner is neither the owner nor the driver of the tempo in



question, rather he was passerby and has become the victim of the circumstances. The petitioner is in custody since 28-06-2025 and has got no criminal antecedent/s. There is no compliance of Section 103 of the BNSS, 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 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.15,000/- (Fifteen thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Excise Masaurhi PS Case No. 295 of 2025.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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