

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54717 of 2025

Arising Out of PS. Case No.-10 Year-2023 Thana- MUSRIGHRARI District- Samastipur

KRISHNADITYA @ ROHIT S/o- Mahesh Kumar Village- Ward No- 13
Bazidpur Kartar Police Station-Patepur District-Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rahul Kumar Dubey, Adv.

For the Opposite Party/s : Mr.Ramchandra Sahni, 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 Musarigharari P.S. Case No. 10 of 2023 instituted for the offences under Sections 30(a), 32, 36 and 41 of the Bihar Prohibition and Excise Act.

3. As per prosecution case, the police has recovered total 2107.87 liters of illicit liquor from the car and motorcycle.

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. The name of the petitioner has transpired in this case because of his being the owner of the alleged Honda City Car bearing



Regd. No. MH-02JP-2081 which was seized at the spot. He further submits that nothing incriminating has been recovered from the conscious possession of the petitioner or from his alleged Honda City Car rather the illicit liquor has been recovered from the open space which is accessible to one and all. 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 19.06.2025 without any rhymes 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, ***after framing of charge if not already framed***, 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 Musarigharari P.S. Case No. 10 of 2023,
subject to the following conditions;

(i) One of the bailor(s) shall be the own/close family
members of the petitioner.

(ii) The petitioner shall cooperate in the trial and shall
be properly represented on each and every date fixed by the
court and shall remain physically present as directed by the
Court and in the event of failure on two consecutive dates
without sufficient reasons, his bail bond shall be liable to be
cancelled by the court below.

(Rudra Prakash Mishra, J)

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