

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64476 of 2025

Arising Out of PS. Case No.-266 Year-2025 Thana- DURGAWATI District- Kaimur (Bhabua)

Ajay Mishra S/o Anirudh Mishra R/o - House No.- N 12/237, Jakkha,
Chhitupur, P.S - Bhelupur, District - Varanasi (U.P)

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Tribhuwan Narayan
For the Opposite Party/s : Mr.Brajendra Nath Pandey

CORAM: HONOURABLE MR. JUSTICE S. B. PD. SINGH
ORAL ORDER

2 23-09-2025 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Durgawati P.S. Case No. 266 of 2025 registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act and Section 318(4) of BNS.

3. As per the allegation made in the F.I.R., recovery of total 270 litres of illicit liquor has been made from an Innova Car bearing Reg. No. UP65AF8638 which is the subject matter of the present case.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in



this case. He has got no criminal antecedent. The petitioner is the driver of the alleged vehicle and he has no knowledge about the consignment. He has no concern with the alleged recovery and no any incriminating article has been recovered from his conscious possession. Section 100 of the Cr.P.C. as well as 48 of BNSS has not been complied with at the time of preparation of seizure list, since both seizure list witnesses are police constable. Petitioner is in custody since 28.07.2025.

5. Learned A.P.P. appearing on behalf of the State has vehemently opposed the prayer for bail of the petitioner.

6. Keeping in view the aforesaid facts and considering the period under custody, let the petitioner, above named, 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 learned Exclusive Special Judge Excise-II, Kaimur at Bhabhua in connection with Durgawati P.S. Case No. 266 of 2025 subject to the following conditions :-

(i). Petitioner will remain physically present in trial on each and every date till the disposal of the case



failing which, on two consecutive dates without reasonable cause, the bail bond of the petitioner may be cancelled by the Trial Court.

(ii). One of the bailor shall be his family member.

(S. B. Pd. Singh, J)

Ankit Kumar/-

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