

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76632 of 2025

Arising Out of PS. Case No.-615 Year-2025 Thana- GAURICHAK District- Patna

Shiwaji Roy @ Shivji Ray S/o Yogendra Rai @ Yogendra Ray R/o- Gheghua,
P.S.- Madhuban, District- Motihari, presently residing at- 49/01, D-H Road,
Ekbalpur, Kolkata- 700027

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhimanyu Deo

For the Opposite Party/s : Mr.Pradeep Narain Kumar

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

ORAL ORDER

2 12-11-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Gaurichak P.S. Case No. 615 of 2025, instituted for the offences
punishable under Section 30(a) of the Bihar Prohibition and
Excise Act.

3. The prosecution case, in short, is that 49.55 liters of
foreign liquor has been recovered from the tanker.

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. The petitioner is



the driver of the vehicle and he has no knowledge regarding the goods loaded in the vehicle. The petitioner is in custody since 05.09.2025 and has got clean criminal antecedent. There is no compliance of Section 103 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

5. Learned APP 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 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/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Gaurichak P.S. Case No. 615 of 2025.

(Rudra Prakash Mishra, J)

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