

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75559 of 2025**

Arising Out of PS. Case No.-460 Year-2025 Thana- BHORE District- Gopalganj

Binod Sunar S/O Padam Bahadur Sunar @ Padam Thapa @ Padam Bahadur
Resident of Reethapani Kawasoti, P.S.- Kawasoti, District- Nawalparasi,
Gandaki Province, Country- Nepal

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dewanand Tiwari, Adv.

For the Opposite Party/s : Mr.Bishweshwar Ram, APP

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

ORAL ORDER

2 04-11-2025 Heard learned counsel for the petitioner and learned

APP for the State.

2. The petitioner seeks bail in connection with Bhore

P.S. Case No. 460 of 2025 instituted for the offences under

Section 317(5) of the B.N.S. and Section 30(a) of the Bihar

Prohibition and Excise Act.

3. As per prosecution case, the police has recovered

total 250.200 liters of illicit foreign liquor from the car.

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. He further submits that nothing incriminating



has been recovered from the conscious possession of the petitioner rather the same has been recovered from the white Ford four-wheeler car. The petitioner is not the owner of the alleged car. The petitioner has no concern with the alleged recovery of alleged liquor. The petitioner is the driver of the alleged car and was not aware of the illicit liquor being kept in the same. 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 14.09.2025 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 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 Bhore P.S. Case No. 460 of 2025.

(Rudra Prakash Mishra, J)

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