

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75152 of 2025

Arising Out of PS. Case No.-691 Year-2025 Thana- BIHTA District- Patna

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Dinanath Pal S/O Late Shiv Pujan Pal R/O Village- Sabari (Sawari), P.S.-
Kachwa, District- Rohtas. At present Resident of Kargil Veer Awas, Lai Road,
Bihta, P.S.- IIT Amhara, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ashok Kumar Sinha, Adv.

For the Opposite Party/s : Ms.Sangeeta Sharma, APP

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

ORAL ORDER

2 03-11-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Special
Excise Case No. 1918 of 2025 arising out of Bihta P.S. Case
No. 691 of 2025 instituted for the offences under Section 30(a)
of the Bihar Prohibition and Excise Act.

3. As per prosecution case, the police has recovered
total 240 liters of illicit country made liquor from the Tempo.

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 merely on
the basis of being the registered owner of the seized tempo. The



petitioner was not driving the alleged tempo. He further submits that nothing incriminating has been recovered from the conscious possession of the petitioner. The petitioner has no concern with the seized liquor. The petitioner was not aware with the fact this his tempo was being used for transportation of the illicit 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 05.09.2025 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 Special Excise



Case No. 1918 of 2025 arising out of Bihta P.S. Case No. 691
of 2025.

(Rudra Prakash Mishra, J)

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