

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75476 of 2025

Arising Out of PS. Case No.-255 Year-2025 Thana- PARSA District- Saran

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Prem Kumar S/O Om Prakash Choudhary @ Om Prakash Chaudhary R/O
Village and P.O.- Sri Rampur, P.S.- Bihta, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Saket Kumar, Adv.

For the Opposite Party/s : Mr.Shailendra Kumar, APP

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**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 Parsa

P.S. Case No. 255 of 2025 instituted for the offences under

Sections 30(A), 33, 34, 47 of the Bihar Prohibition and Excise

Act.

3. As per prosecution case, the police has recovered

total 800 liters of illicit spirit 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. Petitioner is the driver of the alleged vehicle. He



further submits that nothing incriminating has been recovered from the conscious possession of the petitioner. The accusation against the petitioner is based on his own confessional statement which has got no evidentiary value in the eye of law. The petitioner has no concern with the seized liquor. The petitioner was not aware of the contents of the material loaded in the alleged Tempo. 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 25.08.2025 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 Parsa P.S. Case No. 255 of 2025.

(Rudra Prakash Mishra, J)

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