

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.77173 of 2025**

Arising Out of PS. Case No.-106 Year-2025 Thana- Excise Mashrakh District- Saran

Abhishek Kumar S/O Ashok Prasad R/O Vill.- Dhanauti, P.S.- Panapur,  
District- Chapra (Saran), State- Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Pankaj Kumar Jha, Advocate

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

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

ORAL ORDER

2      17-11-2025                      Heard learned counsel for the petitioner and learned  
APP for the State.

2. The petitioner seeks bail in connection with  
Mashrakh Excise P.S. Case No. 106 of 2025, instituted for the  
offences punishable under Sections 30(a) and 32(3) of the Bihar  
Prohibition and Excise Act.

3. The prosecution case, in short, is that 0.360 liters  
liquor was recovered from motorcycle.

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  
neither owner nor driver of the vehicle and recovery has been



planted in this case. The petitioner is in custody since 20.09.2025 and has got no 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 Mashrakh Excise P.S. Case No. 106 of 2025.

**(Rudra Prakash Mishra, J)**

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