

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76440 of 2025

Arising Out of PS. Case No.-27 Year-2023 Thana- BALIA BELON District- Katihar

Bappi Dev @ Bapi Dey S/o- Uchchal Dev @ Ujjwal Day R/o- Borobarwa,
P.S.- Raiganj, Distt.- Uttar Dinajpur (W.B.)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Singh, Advocate

For the Opposite Party/s : Mr. Braj Kishore Pd., APP

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

ORAL ORDER

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

2. The petitioner seeks bail in connection with Balia
Belon PS Case No. 27 of 2023 instituted for the offences under
Section/s 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total 1179
liters foreign liquor was recovered from Bolero pickup.

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. It is submitted
that name of the petitioner has surfaced in this case on the



disclosure made by driver of the vehicle and he has no concern with the same. The petitioner is in custody since 28.06.2025 and has got no criminal antecedent/s. There is no compliance of Section 103 of the BNSS, 2023.

5. Learned A.P.P. 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, clean antecedent of the petitioner 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/- (Fifteen thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Balia Belon PS Case No. 27 of 2023.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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