

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79914 of 2025

Arising Out of PS. Case No.-409 Year-2025 Thana- SHERGHATI District- Gaya

Bipin Kumar S/o Prabhu Prasad R/o Ward No. 10, Near Ram Mandir, Koeri
Tola, P.S.- Sherghatti, District- Gaya, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Praveen Kumar, Advocate

For the Opposite Party/s : Ms. Asha Kumari, APP

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

ORAL ORDER

3 16-12-2025 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with Sherghati PS Case No. 409 of 2025 instituted for the offences under Section/s 30(a) & 45 of the Bihar Prohibition and Excise Act and Sections 190, 191(2), 115(2), 126(2), 109, 132, 121(1), 351(3), 352, 328, 338, 336(3), 340(2), 303(2) & 317(5) of the Bharatiya Nyaya Sanhita, 2023.

3. The prosecution case, in short, is that 69 liters foreign liquor was recovered from motorcycle. It is also alleged that when police arrested petitioner and other co-accused, 7-8 persons created nuisance and pelted stones with an intent to harm the police personnel.



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 petitioner is not the owner of the motorcycle in question and he has no concern with the same. So far as allegation of pelting stones is concerned the same is against other co-accused person and injury is found to be simple in nature. The petitioner is in custody since 21.09.2025 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 Sherghati PS Case



No. 409 of 2025.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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