

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82055 of 2025

Arising Out of PS. Case No.-158 Year-2025 Thana- DARIGAON District- Rohtas

Shyam Kumar @ Budhwa Son of Ramjee Bind R/o Rangpur, P.S. - Darigaon,
Dist. - Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vinay Kumar Singh, Adv

For the Opposite Party/s : Mr. Md. Nazir Ansari, APP

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

ORAL ORDER

2 01-12-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Darigaon P.S. Case No. 158 of 2025, instituted for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total 105 liters of country made liquor was recovered from plastic Bag. Petitioner was arrested on spot.

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. Learned counsel for the petitioner submits that the recovery is made from an open place, which is accessible to one and all. The petitioner is in custody since 29.08.2025 and has got clean 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 Darigaon P.S. Case No. 158 of 2025.

(Rudra Prakash Mishra, J)

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