

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.82478 of 2025**

Arising Out of PS. Case No.-457 Year-2025 Thana- EXCISE MASAUDHI District- Patna

Ajay Kumar S/O Vinay Shankar @ Shankar Ray @ Vinay Shankar Ray R/O  
Railway Colony, Digha Ghat, P.S- Digha (Patna), District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

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

For the Opposite Party/s : Mr. Choubey Jawahar, APP

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

ORAL ORDER

2      03-12-2025                      Heard Mr. Pramod Kumar Singh, learned counsel for  
the petitioner and Mr. Choubey Jawahar, learned APP for the  
State.

2. The petitioner seeks bail in connection with Excise  
Thana Masaurhi P.S. Case No. 457 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 120 liters  
liquor was recovered from e-rickshaw and the 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 also submits that the petitioner is not the owner of the e-rickshaw rather is driver of that vehicle and has got no knowledge with regard to the nature of goods loaded in the vehicle. The petitioner is in custody since 22.09.2025 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 Excise Thana Masaurhi P.S. Case No. 457 of 2025, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date



fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

**(Rudra Prakash Mishra, J)**

Rajorshi/-

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