

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82134 of 2025

Arising Out of PS. Case No.-344 Year-2025 Thana- KALYANPUR District- East Champaran

Ajay Kumar Sah S/o Ramekbal Sah @ Ekwah Sah Resident of village -
Bakarpur, P.S - Kalyanpur, District - East Champaran , In the Impugned order
District has Wrongly been mentioned as Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Ajay Kumar No. 2, APP

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

ORAL ORDER

2 02-12-2025 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with
Kalyanpur PS Case No. 344 of 2025 instituted for the offences
under Section/s 30(a) & 41(1) of the Bihar Prohibition and
Excise Act.

3. The prosecution case, in short, is that 2.880 liters
liquor was recovered from the shop of the petitioner. It is further
alleged that 100 liters country made liquor was recovered from
the house of the petitioner.

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 recovery is made from the joint house of the petitioner, where other family members also reside. The petitioner is in custody since 04.09.2025 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 Kalyanpur PS Case No. 344 of 2025.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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