

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.84106 of 2025**

Arising Out of PS. Case No.-228 Year-2025 Thana- BHELDI District- Saran

Sharwan Kumar @Shrwan Kumar @ Shrawan Kumar S/O Bhageran Rai R/O  
Village- Saidpur, P.S.- Dariyapur, Dist.- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

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

For the Opposite Party/s : Mr.Vinod Shanker Modi, APP

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

ORAL ORDER

2      04-12-2025                      Heard learned counsel for the petitioner and learned  
APP for the State.

2. The petitioner seeks bail in Bheldi P.S. case No. 228 of 2025 instituted for the offences under Sections 111, 317(5), 318(4), 336(2), 338, 336(3) and 340(2) of Bharatiya Nyaya Sanhita, 2023 and Sections 30(a) and 41(1) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that in course of checking of the vehicle by the police, 425.32 liters liquor was recovered from Scorpio vehicle.

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 further submitted that the name of the petitioner has transpired on the basis of disclosure made by co-accused. The petitioner is neither owner nor driver of the vehicle. The petitioner was a passerby of the way and has become victim of circumstances. The petitioner is in custody since 08.10.2025 and has got one criminal antecedent. There is no compliance of Section 103 of B.N.S.S., 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 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 Bheldi P.S. case No. 228 of 2025.

**(Rudra Prakash Mishra, J)**

Pankaj/-

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