

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84333 of 2025

Arising Out of PS. Case No.-107 Year-2025 Thana- Roshna District- Katihar

Akbar Nat Son of Hari Prasad @ Hari Prasad Yadav Resident of Gaushala Chouk, Ward No.- 2, P.S.- Murliganj, District - Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Wasi Ahmad Khan, Advocate

For the Opposite Party/s : Mr.Suresh Prasad Singh, 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 Roshna P.S. case No. 107 of 2025 instituted for the offences under Sections 30(a), 41 and 47 of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that 199.635 liters liquor was recovered from pick-up 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 vehicle in question does not belong to the petitioner. The petitioner is driver of the vehicle in question and he had no knowledge regarding nature of goods kept in the vehicle. The petitioner is in custody since 09.10.2025 and has got no 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, clean antecedent 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 Roshna P.S. case No. 107 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)

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