

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1132 of 2025

Arising Out of PS. Case No.-486 Year-2024 Thana- PATLIPUTRA District- Patna

Rajesh Prasad @ Rajeshwar Prasad S/O Late Raghunath Prasad R/O Kurji
Balu Par Shakti Nagar Road, P.S. - Digha, Dist- Patna, at present Guard in
Prem Shree Residency Apartment, New Patliputra Colony, P.S- Patliputra,
Dist- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dharendra Prasad Sinha, Advocate

For the Opposite Party/s : Mr. Nand Kumar, APP

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

ORAL ORDER

2 29-01-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Special
Case No. 1504 of 2024 arising out of Patliputra PS Case No.
486 of 2024 instituted for the offences under Sections 30(a) and
41(1) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total 105.950
litres of foreign liquor was recovered from Guardroom.

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 petitioner is a night guard and he used to left the apartment to perform his duty, he has no knowledge regarding the nature of goods kept in the room. The petitioner is in custody since and has got no criminal antecedent. There is no compliance of Section 100 of Cr.P.C.

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.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Special Case No. 1504 of 2024 arising out of Patliputra PS Case No. 486 of 2024.

(Rudra Prakash Mishra, J)

Raj Ranjan/-

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