

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6365 of 2025

Arising Out of PS. Case No.-410 Year-2024 Thana- KHAJEKALA District- Patna

Ravi Kumar @ Budha @ Ravi @ Budhawa Son of Chandrika Ray Resident
of Hamampar near Shiv Temple, P.S.-Khajekalan, District-Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Harish Kumar, Adv.

For the Opposite Party/s : Mr. Md. Iftekhar Mahmood, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA
ORAL ORDER

3 20-02-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Khajekalan P.S. Case No. 410 of 2024 instituted for the
offences under Section 30(a) of the Bihar Prohibition and Excise
Act and Section 317(5), 3(5) of the B.N.S.

3. As per prosecution case, the police has recovered
total 70 liters of liquor from an Activa Scooty bearing Regd. No.
BR01CF-4521.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and he has been falsely implicated in the
present case with false and frivolous allegations. The petitioner
has not committed any offence as alleged in the F.I.R. He further
submits that nothing incriminating has been recovered from the
conscious/physical possession of the petitioner. The petitioner is



neither driver nor owner of the alleged vehicle. The petitioner has also no concern with the seized liquor. There is a non-compliance of Section 103 of the B.N.S.S. which creates a serious doubt in the prosecution case. The petitioner has two criminal antecedents and is languishing in judicial custody since 18.11.2024 without any rhymes or reason.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. The petitioner is named in the F.I.R. and, hence, he does not deserve bail.

6. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case and the period of custody of the petitioner, let the petitioner, abovenamed, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Khajekalan P.S. Case No. 410 of 2024.

(Rudra Prakash Mishra, J)

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