

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1324 of 2025

Arising Out of PS. Case No.-435 Year-2024 Thana- MOTIHARI MUFASIL District- East
Champaran

=====

Shailesh Kumar S/o Mohan Manjhi Resident of village- Bherkhiya, P.s.-
Pipra, Distt.- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Abhishek Kumar, Advocate
For the Opposite Party/s : Ms. Renu Kumari, APP

=====

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

ORAL ORDER

2 21-01-2025 Heard learned counsel for the petitioner and Ms.
Renu Kumari, learned APP for the State.

2. The petitioner seeks bail in Muffasil P.S. case No.
435 of 2024 instituted for the offences under Sections 274, 275
of the Bharatiya Nyaya Sanhita, 2023 and Section 30(a) of the
Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that 31 liters spirit
was recovered from the petitioner and co-accused.

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 petitioner has become victim of circumstances as the offender made good escape while the police was chasing him and the petitioner, who was crossing the road, was arrested by the police. The petitioner is in custody since 11.09.2024 and has got no criminal antecedent. Charge-sheet has been submitted in this case. 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.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Muffasil P.S. case No. 435 of 2024.

(Rudra Prakash Mishra, J)

Pankaj/-

U		T	
---	--	---	--

