

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1389 of 2025

Arising Out of PS. Case No.-325 Year-2024 Thana- BANJARIA District- East Champaran

Pappu Sah S/o Jokhu Sah R/o Village- Seorajpur, P.S.- Nautan, District- West
Champaran, Bettiah

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Parmanand Prasad, APP

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

ORAL ORDER

2 21-01-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in Banjariya P.S. case No.
325 of 2024 instituted for the offences under Sections 317(5),
274, 275 of the Bharatiya Nyaya Sanhita, 2023 and Sections
30(a) and 41 of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that 43.2 liters
liquor was recovered from tempo.

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 is driver of the tempo in question. The petitioner had no knowledge regarding the nature of goods kept in vehicle. The petitioner is in custody since 28.10.2024 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 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 Banjariya P.S. case No. 325 of 2024.

(Rudra Prakash Mishra, J)

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