

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1847 of 2025

Arising Out of PS. Case No.-21 Year-2024 Thana- Haraiya District- East Champaran

Murat sah S/o Brijlal Prasad @ Brij Mohan Prasad Resident of village- Semra
Bajar, P.S.- Turkauliya, District- 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. Meena Singh, APP

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

ORAL ORDER

3 28-02-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Haraiya PS Case No. 21 of 2024 instituted for the offences
under Sections 318(4), 338, 336(3), 340(2), 61(3) of B.N.S.
and Sections 30(a), 41(i), 31, 38 and 47 of the Bihar
Prohibition and Excise Act.

3. The prosecution case, in short, is that total 4000
litres of spirit was recovered from go-down.

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 not the owner of the go-down. It is further submitted that the name of the petitioner has transpired on the basis of confessional statement of apprehended co-accused person namely, Awadhesh Kumar Shrivastava. The petitioner is in custody since 26.10.2024 and has got five criminal antecedents in which he is on bail. There is no compliance of Section 103 of B.N.S.S. Other co-accused has been granted regular bail by this Court *vide* orders dated 27.01.2025 and 29.01.2025 passed in Cr. Misc. Nos. 2642 of 2025 and 90115 of 2024 respectively.

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, ***after framing of charge if not already framed*** 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 Haraiya PS Case No. 21 of 2024, 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)

Raj Ranjan/-

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