

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87626 of 2025

Arising Out of PS. Case No.-328 Year-2025 Thana- MIRGANJ District- Gopalganj

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Dukhi Ram @ Amala Ram @ Amla Ram Son of Vishwanath Ram @
Bishwanath Ram R/o Vllage - Prayag Sumail, PS.- Mirganj, District -
Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raghav Prasad, Advocate

For the Opposite Party/s : Mr. Ramchandra Sahni, APP

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

ORAL ORDER

2 18-12-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Mirganj P.S. Case No. 328 of 2025, instituted for the offences
punishable under Sections 30(a) and 32 of the Bihar Prohibition
and Excise Act.

3. The prosecution case, in short, is that 83.6 liters
liquor was recovered from an open place adjacent to the house
of the petitioner.

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. Learned counsel



for the petitioner also submits that the petitioner was not arrested on spot. Name of the petitioner has transpired in this case on the basis of disclosure made by local chaukidar. It is further submitted that the alleged recovery has been made from an open place and the same is easily accessible to the public at large. The petitioner is in custody since 07.10.2025 and has got one criminal antecedent in which he is on bail. There is no compliance of Section 103 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

5. Learned APP 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. 15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Mirganj P.S. Case No. 328 of 2025.

(Rudra Prakash Mishra, J)

Rajorshi/-

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