

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12104 of 2025

Arising Out of PS. Case No.-499 Year-2024 Thana- CHIRAIYA District- East Champaran

Umashankar Sah S/o Late Jalim Sah R/o Khartari, P.S.- Chiraiya, District-
East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Perna Rishi, Advocate

For the Opposite Party/s : Mr. Anuj Kumar Shrivastava, APP

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

ORAL ORDER

2 25-02-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Chiraiya PS Case No. 499 of 2024 instituted for the
offences under Sections 30(a) and 37 of the Bihar
Prohibition and Excise Act.

3. The prosecution case, in short, is that total 20
litres of country made liquor was recovered from
petitioner's back pack.

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 recovery is made from an open place, which is accessible to one and all. The petitioner is in custody since 10.12.2024 and has got one criminal antecedent in which he is on bail. There is no compliance of Section 103 of B.N.S.S.

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 Chiraiya PS Case No. 499 of 2024.

(Rudra Prakash Mishra, J)

Raj Ranjan/-

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