

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22128 of 2025

Arising Out of PS. Case No.-5 Year-2025 Thana- DEODHA District- Madhubani

Shivam Kumar Shiva son of Dilip Kumar vill- Brahmotra, P.S- Arer, Dist-
Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Kumari Pallavi, Advocate

For the Opposite Party/s : Mr. Navin Kumar Pandey, APP

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

ORAL ORDER

2 09-04-2025 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with
Deodha PS Case No. 05 of 2025 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 108 liters
nepali liquor was recovered from motorcycle.

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. Petitioner is the



owner of the motorcycle and was passerby and he has been implicated in this case just because he denied to become a seizure list witness. The petitioner is in custody since 12-01-2025 and has got no criminal antecedent. There is no compliance of Section 103 of the BNSS, 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, clean antecedent of the petitioner 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 Deodha PS Case No. 05 of 2025.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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

