

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.38276 of 2025**

Arising Out of PS. Case No.-59 Year-2025 Thana- KHANPURA District- Samastipur

Adarsh Kumar Malakar @ Adarsh Kumar Son of Butan Malakar Resident of  
Village- Mananpur- Baghopur, P.S.- Khanpur, District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

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

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

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

ORAL ORDER

2      19-06-2025      Heard learned counsel for the petitioner and learned APP  
for the State.

2.      The petitioner seeks bail in connection with  
Khanpur PS Case No. 59 of 2025 instituted for the offences  
under Section/s 30(a) of the Bihar Prohibition and Excise Act.

3.      The prosecution case, in short, is that 30.6 liters  
foreign liquor was recovered from Scooty.

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 the owner of the motorcycle in question. The



petitioner is in custody since 11-03-2025 and has got no criminal antecedent/s. 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 Khanpur PS Case No. 59 of 2025.

**(Rudra Prakash Mishra, J)**

Raj Kishore/-

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