

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47435 of 2025

Arising Out of PS. Case No.-495 Year-2023 Thana- KUCHAIKOTE District- Gopalganj

Sakir @ Sakir Miya S/o Rosh Mohammad R/o Village- Nandlal Mathiya,
P.S.- Kuchaikote, Distt.- Gopalganj, State- Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Priya Raj, Advocate

For the Opposite Party/s : Mr. Shyam Bihari Singh, APP

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

ORAL ORDER

2 24-07-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Kuchaikote PS Case No. 495 of 2023 instituted for the offences
under Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total 428.400
litres of foreign liquor was recovered from one car and two
motorcycles.

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 seized vehicles do not belong to the petitioner. It is further



submitted that the name of the petitioner has transpired on the confessional statement of co-accused Bullet Yadav. The petitioner is in custody since 29.06.2024 and has got two 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 bail by a Co-ordinate Bench of this Court vide orders dated 01.02.2024 and 22.02.2024 passed in Cr. Misc. Nos. 83811 of 2023 and 7387 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 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 Kuchaikote PS Case No. 495 of 2023.

(Rudra Prakash Mishra, J)

Raj Ranjan/-

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

