

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46403 of 2025

Arising Out of PS. Case No.-77 Year-2025 Thana- BRAHMPUR District- Buxar

Sonu Mallah son of Ishwar Dayal Mallah @ Ishwar Dayal Malla Resident of
village- Balua, Ps- Brahmpur, Dist- Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arun Kumar Gupta, Advocate

For the Opposite Party/s : Mr. Nitya Nand Tiwary, APP

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

ORAL ORDER

2 22-07-2025 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in connection with
Brahmpur PS Case No. 77 of 2025 instituted for the
offences under Sections 30(a) and 41 of the Bihar
Prohibition and Excise Act.

3. The prosecution case, in short, is that total 18
litres of foreign liquor was recovered from Motorcycle
bearing Registration No. BR03N-1707.

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 motorcycle in question does not belong to the petitioner. The petitioner is in custody since 17.05.2025 and has got one criminal antecedent. 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 Brahmpur PS Case No. 77 of 2025.

(Rudra Prakash Mishra, J)

Raj Ranjan/-

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