

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50895 of 2025

Arising Out of PS. Case No.-63 Year-2025 Thana- SAHARGHAT District- Madhubani

Santosh Bhandari Son of Late Rambabu Bhandari R/O Village - Dhadhiya
(Patti Dhariha), P.S.- Kamtaul, District - Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mrs. Renu Kumari, Advocate

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

ORAL ORDER

2 04-08-2025 Heard Mr. Ashok Kumar, learned counsel for the
petitioner and Mrs. Renu Kumari, learned APP for the State.

2. The petitioner seeks bail in connection with Saharghat P.S. Case No. 63 of 2025, instituted for the offences punishable under Sections 274, 275, 3(5) of the Bharatiya Nyaya Sanhita, 2023 read with Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that 71 liters liquor was recovered from an auto and the petitioner was apprehended on spot.

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. Learned counsel for the petitioner also submits that the petitioner is neither owner nor driver of the auto in question rather he was only a passenger and have got no knowledge with regard to the nature of goods loaded in the vehicle. The petitioner is in custody since 03.06.2025 and has got one criminal antecedent in which he is on bail. There is no compliance of Section 103 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

5. Learned APP 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/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Saharghat P.S. Case No. 63 of 2025.

(Rudra Prakash Mishra, J)

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