

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50979 of 2025

Arising Out of PS. Case No.-131 Year-2025 Thana- BASOPATTI District- Madhubani

=====

Madan Prasad Sah S/O Surya Narayan Sah R/O Village- Kodarkatta, P.S -
Basopatti, District - Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

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

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

=====

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

ORAL ORDER

2 04-08-2025 Heard learned counsel for the petitioner and learned

APP for the State.

2. The petitioner seeks bail in connection with

Basopatti P.S. Case No. 131 of 2025 instituted for the

offences under Sections 274, 275 of the Bhartiya Nyaya

Sanhita, 2023 and Section 30(a) of the Bihar Prohibition and

Excise Act.

3. As per prosecution case, the police has recovered

total 85.500 liters of illicit liquor from the shop of the

petitioner. The petitioner was arrested on the spot.

4. Learned counsel for the petitioner submits that

the petitioner is innocent and has committed no offence as



alleged against him and has falsely been implicated in the present case merely on the basis of suspicion. He further submits that nothing incriminating has been recovered from the conscious possession of the petitioner. The petitioner has no concern with the seized liquor. He further submits that the prosecution has not filed any chemical examination or FSL report confirming the nature and strength of the seized liquor as contraband liquor under the Bihar Prohibition and Excise Act, 2016. There is a non-compliance of Section 103 of the B.N.S.S. which creates a serious doubt in the prosecution case. The petitioner has four criminal antecedents and, in all of them, he is on bail and is languishing in judicial custody since 10.06.2025 without any rhymes or reason.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioner, let the petitioner, abovenamed, 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 Basopatti
P.S. Case No. 131 of 2025.

(Rudra Prakash Mishra, J)

rishi/-

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

