

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53347 of 2025

Arising Out of PS. Case No.-40 Year-2025 Thana- BHANGHA District- West Champaran

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Motar Sah @ Rambalak Sah S/O Chokat Sah R/O Village- Jhumka, P.S-
Inarwa, Distt.- West Champaran. Petitioner/s

Versus

The State of Bihar Opposite Party/s
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Appearance :

For the Petitioner/s : Mr. Gyan Prakash, Advocate

For the Opposite Party/s : Mr. Mritunjay Kumar Nirala, APP
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**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 01-08-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Bhangaha PS Case No. 40 of 2025 instituted for the offences
under Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total 412
litres of country made liquor was recovered from jute sack
besides a river.

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 recovery is made from an open place, which is accessible to
one and all. It is further submitted that apprehended co-accused



disclosed the name of the petitioner. The petitioner is in custody since 21.06.2025 and has got two criminal antecedents. 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 Bhangaha PS Case No. 40 of 2025, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Raj Ranjan/-

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