

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59565 of 2025

Arising Out of PS. Case No.-36 Year-2025 Thana- RAHIKA District- Madhubani

Md. Shamshad, S/o Kari Nadaf, Resident of village- Pokhrauni, Dhuniya Tol,
Police Station- Rahika, Dist.- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Bhavesh Kumar Sah, Advocate
		Ms. Archana Aanand, Advocate
For the Opposite Party/s	:	Mr. Choubey Jawahar, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

3 09-10-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks regular bail in connection with
Rahika P.S. Case No. 36 of 2025 arising out of G.R. Case No. 199
of 2025 for the offence registered under Sections 272, 273, 308 of
the IPC and Section 30 (a) of the Bihar Prohibition & Excise Act.

3. As per the prosecution case, total 90 litres of illicit
country made liquor recovered from the straw at back of the
house of the petitioner and 30 litres of Nepali country made
liquor was recovered from the stairs in the house of petitioner and
co-accused Kari Nadaf who fled away from the spot seeing the
police force. It is alleged that the petitioner and the other co-
accused person are involved in illicit business of liquor.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has been falsely implicated in this case



on the basis of disclosure statement of local watchman. Petitioner was not apprehended on the spot. Nothing incriminating recovered from the conscious possession of the petitioner. Recovery was made from an open place accessible to anyone and joint house of the petitioner. Petitioner has himself surrendered before the Court and is in jail custody since 05.08.2025, having two criminal antecedents of similar nature. Petitioner undertakes to cooperate in the investigation and trial of the case.

5. Learned APP for the State has opposed the prayer for regular bail of the petitioner.

6. Considering the facts and circumstances of the case and the submissions of learned counsel for the parties and period of custody, let the petitioner, above named, 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 learned Court concerned, Madhubani, in connection with Rahika P.S. Case No. 36 of 2025, arising out of G.R. Case No. 199 of 2025, with further conditions that:-

(i) The petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself.

(ii) The petitioner shall desist from committing any



such criminal offence again, failing which the State shall be at liberty to take steps for cancellation of bail bonds.

(Sunil Dutta Mishra, J)

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