

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74197 of 2025

Arising Out of PS. Case No.-546 Year-2025 Thana- KADAMKUAN District- Patna

Pankaj Kumar S/O Arun Mahto R/O Sabalpur Baluatoli, P.S.- Sonepur, Dist.-
Saran. A/P- Saidpur Chaitola Ganja Gali, Renter in the house of Ramchandra
Mahto, P.s.- Kadamkuan, Dist.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

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

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA
ORAL ORDER

2 30-10-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Kadamkuan P.S. Case No. 546 of 2025 instituted for the
offences under Section .

3. As per prosecution case, the police has recovered
total 45.375 liters of illicit foreign liquor from the Scooty as
well as from an abandoned house. 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.
He further submits that nothing incriminating has been
recovered from the conscious possession of the petitioner rather



the same has been recovered from open place (old house), accessible to one and all. The petitioner has no concern either with the seized liquor or the alleged scooty. The petitioner has never indulged either in manufacturing or trading of the illicit liquor. 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 no criminal antecedent and is languishing in judicial custody since 11.08.2025 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 and the petitioner having no criminal antecedent, let the petitioner, abovenamed, be released on bail on furnishing bail bonds of Rs.15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Kadamkuan P.S. Case No. 546 of 2025.

(Rudra Prakash Mishra, J)

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