

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73986 of 2025

Arising Out of PS. Case No.-229 Year-2025 Thana- SUPPI District- Sitamarhi

Saip Ali S/o- Momtaj Alli Resident of Bairgania Ward- 16 PS- Bairganioa
District- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dwij Raj, Advocate

For the Opposite Party/s : Mr. Suresh Prasad Singh, 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
Sitamarhi Suppi PS Case No. 229 of 2025 instituted for the
offences under Section/s 30(a) of the Bihar Prohibition and
Excise Act and Section 317(5) of the Bharatiya Nyaya Sanhita,
2023.

3. The prosecution case, in short, is that 135 liters
Nepali liquor was recovered from Auto.

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 petitioner was merely passenger of the Tempo in question. The petitioner is in custody since 13.08.2025 and has got no criminal antecedent/s. There is no compliance of Section 103 of the BNSS, 2023. Other co-accused has been granted bail by this Court vide order dated 24-09-2025, passed in Cr. Misc. No. 66102 of 2025.

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, clean antecedent of the petitioner, claim based on parity 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.15,000/- (Fifteen thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Sitamarhi Suppi PS Case No. 229 of 2025.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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