

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75055 of 2025

Arising Out of PS. Case No.-342 Year-2025 Thana- KALYANPUR District- East Champaran

Santosh Kumar S/O Chandrika Ram Resident of Village- Sisawa Basant, P.S.
- Kalyanpur, District - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Singh, Advocate

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

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

ORAL ORDER

2 03-11-2025 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with
Kalyanpur PS Case No. 342 of 2025 instituted for the offences
under Section/s 30(a) & 41(1) of the Bihar Prohibition and
Excise Act.

3. The prosecution case, in short, is that total 100
liters country made liquor was recovered from the plastic sac.

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 from an open place, which is accessible to one and all. The petitioner is in custody since 03.09.2025 and has got no criminal antecedent/s. There is no compliance of Section 103 of the BNSS, 2023.

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 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 Kalyanpur PS Case No. 342 of 2025.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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