

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76575 of 2025

Arising Out of PS. Case No.-561 Year-2025 Thana- Excise P.S. District- Sitamarhi

Md. Jane Alam @ Mohd. Jane Alam @ Jane Alam S/o Late Safi Mohammad
R/o Village- Akhta Bazar, P.O- Marpa Tahir, P.S- Bairstania, Dist- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

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

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

ORAL ORDER

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

2. The petitioner seeks bail in connection with
Prohibition P.S. Sitamarhi Case No. 561 of 2025, instituted for
the offences punishable under Sections 30(a), 32(3) of the Bihar
Prohibition and Excise Act.

3. The prosecution case, in short, is that 315 liters of
Nepali liquor was recovered from Pick-up-Vehicle and
petitioner was arrested on spot.

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 is driver of the seized vehicle and he has no knowledge regarding the goods loaded in the vehicle. The petitioner is in custody since 04.08.2025 and has got one criminal antecedent. There is no compliance of Section 103 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

5. Learned APP 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. 15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Prohibition P.S. Sitamarhi Case No. 561 of 2025.

(Rudra Prakash Mishra, J)

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