

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79361 of 2025

Arising Out of PS. Case No.-149 Year-2025 Thana- UCHKAGAON District- Gopalganj

Sami Ahmad son of Md. Samiullah @ Mister Miya Resident of Village- Line
Bazar Near Masjid PS- Mirganj Dist- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Roy, Adv

For the Opposite Party/s : Mr. Md. Iftekhar Mahmood, APP

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

ORAL ORDER

2 24-11-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Uchkagaon P.S. Case No. 149 of 2025 corresponding to PTN No. 2360 of 2025, instituted for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that 459 liters of country made liquor was recovered from two motorcycles and orchard.

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. Learned counsel for the petitioner submits that the alleged motorcycles do not belong to the petitioner. It is also submitted that the alleged recovery is made from an open place which is accessible to one and all. Learned counsel for the petitioner further submits that other co-accused has been granted bail by a Co-ordinate Bench of this Court vide order dated 22.09.2025 passed in Cr. Misc. No. 63167 of 2025. The petitioner is in custody since 13.08.2025 and has got three criminal antecedents. 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 Uchkagaon P.S. Case No. 149 of 2025 corresponding to PTN No. 2360 of 2025, subject to the following conditions:



(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

krishnakant/-

U		T	
---	--	---	--

