

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82812 of 2025

Arising Out of PS. Case No.-28 Year-2025 Thana- DEODHA District- Madhubani

Md. Shalam Rain S/o Md. Naim Rain @ Md. Nadim Rain R/o Village -
Dewdha (Deodha), , Bhagwati Chauk, P.S - Dewdha, District - Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Ms. Pushpa Sinha.1, APP

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

ORAL ORDER

2 28-11-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Deodha P.S. Case No. 28 of 2025, instituted for the offences
punishable under Sections 274/275/3(5) of BNS and Section
30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that that 351 liters
of country made liquor was recovered from two motorcycles out
of which 198 litres of illicit liquor was recovered from
petitioner's motorcycle.

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 petitioner was apprehended on spot. The petitioner is in custody since 06.04.2025 and has got clean antecedent. Learned counsel for the petitioner further submits that other co-accused has been granted bail by this Court vide order dated 22.07.2025 passed in Cr. Misc. No. 46452 of 2025. 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 Deodha P.S. Case No. 28 of 2025.

(Rudra Prakash Mishra, J)

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