

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81336 of 2025

Arising Out of PS. Case No.-207 Year-2025 Thana- MOHAMMADPUR District- Gopalganj

Abhay Kumar Sah S/o Birendra Sah Resident of Village- Ramchandrapur,
P.S.- Mohammadpur, Dist.- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Saurabh Kumar, Advocate

For the Opposite Party/s : Mr.Syed Ehteshamuddin, APP

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

ORAL ORDER

2 27-11-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in Mohammadpur P.S. case
No. 207 of 2025 instituted for the offences under Section 317(5)
of Bharatiya Nyaya Sanhita, 2023 and Section 30(a) of the
Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that 434.84 liters
liquor was recovered from Bolero vehicle and motorcycle and
the 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 further submitted that the petitioner is neither owner nor the driver of the vehicles. The petitioner is in custody since 26.09.2025 and has got no criminal antecedent. There is no compliance of Section 103 of B.N.S.S., 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 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 Mohammadpur P.S. case No. 207 of 2025.

(Rudra Prakash Mishra, J)

Pankaj/-

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

