

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86794 of 2025

Arising Out of PS. Case No.-35 Year-2025 Thana- NANIJOR District- Buxar

Mutan Sah @ Parshuram Sah S/O Late Jagarnath Sah Resident of Village-
Chandrapura, P.S. Nanijor, District- Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Akhilesh Kr Pandey, Adv

For the Opposite Party/s : Mr. Parmanand Prasad, APP

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

ORAL ORDER

2 16-12-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Nainijore, P.S. Case No. 35 of 2025, instituted for the offences
punishable under Section 30(a)s of the Bihar Prohibition and
Excise Act.

3. Earlier vide order dated 16.09.2025 passed in Cr.
Misc. No. 40563 of 2025 anticipatory bail of the petitioner was
rejected by a Co-ordinate Bench of this Court.

4. The prosecution case, in short, is that total 8.1 liters
of foreign liquor was recovered from drainage of the house of
petitioner.

5. 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 recovery has been made from the drainage of joint house of the petitioner where other family members also reside. The petitioner is in custody since 13.10.2025 and has got four criminal antecedents. There is no compliance of Section 103 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

6. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. 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.

8. 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 Nainijore P.S. Case No. 35 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)

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