

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.82788 of 2025**

Arising Out of PS. Case No.-119 Year-2025 Thana- Excise Mashrakh District- Saran

Sumesh Kumar Sah @ Sumesh Sah S/o Late Mahaveer Sah R/o Village -  
Ganauli, P.S - Mashrakh, District - Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Yugal Kishore, Advocate.

For the Opposite Party/s : Mr.Madan Kumar, A.P.P.

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

ORAL ORDER

2      03-12-2025                      Heard learned counsel for the petitioner and learned  
APP for the State.

2. The petitioner seeks bail in connection with  
Mashrakh Excise P.S. Case No. 119 of 2025, instituted for the  
offences punishable under Section 30(a) and 32(3) of the Bihar  
Prohibition and Excise Act.

3. The prosecution case, in short, is that total 0.180  
ML foreign liquor was recovered from 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. The name of the  
petitioner has transpired as being owner of the vehicle in



question. The said recovery has been planted in this case. The petitioner is in custody since 23.10.2025 and has got no 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 Mashrakh Excise P.S. Case No. 119 of 2025.

**(Rudra Prakash Mishra, J)**

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