

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83388 of 2025

Arising Out of PS. Case No.-840 Year-2025 Thana- Excise P.S. District- Kishanganj

Gautam Bosak @ Gautam Basak S/o Surendra Bosak @ Goliya Bosak
Resident of - Loharpatti, (Tanti Basti), P.S.- Kishanganj, District- Kishanganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amal Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Gauri Shankar Gupta, APP

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

ORAL ORDER

2 04-12-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Special
Case No. 857 of 2025 arising out of Madya Nisedh P.S. Case
No. 840 of 2025 instituted for the offences punishable under
Sections 30(a), 32(3) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total 94 litres
of liquor was recovered from two motorcycles.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case. No
incriminating article has been recovered from the conscious
possession of the petitioner. Learned counsel further submitted
that petitioner is in no manner connected with the vehicles in



question or the alleged recovery of liquor. The petitioner is in custody since 26.10.2025 and has one criminal antecedent. There is no compliance of Section 103 of the Bharatiya Nagarika 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 as also 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 Special Case No. 857 of 2025 arising out of Madya Nisedh P.S. Case No. 840 of 2025.

(Rudra Prakash Mishra, J)

Alok Verma/-

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