

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84247 of 2025

Arising Out of PS. Case No.-1180 Year-2025 Thana- Excise P.S. District- Sitamarhi

Santosh Kumar S/o Anurudh Ray @ Anud Ray R/o Village- Bhagwanpur
(Piprahi), P.S- Riga, Dist- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dwij Raj, Advocate

For the Opposite Party/s : Mr.Md. Iftekhar Mahmood, 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 Prohibition P.S.
Sitamarhi case No. 1180 of 2025 instituted for the offences
under Sections 30(a) and 32(3) of the Bihar Prohibition and
Excise Act.

3. The prosecution case, in short, is that 144 liters
liquor was recovered from car 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 is



neither the owner nor the driver of the vehicle and he has got no concern with the alleged recovery of liquor. It is further submitted that the petitioner has got no concern with the vehicle in question. The petitioner was a passerby of the way and has become victim of circumstances. The petitioner is in custody since 25.10.2025 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 Prohibition P.S. Sitamarhi case No. 1180 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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