

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85573 of 2025

Arising Out of PS. Case No.-35 Year-2025 Thana- SONNAGAR RAIL P.S. District- Gaya

Mahendra Kumar S/o Shiv Chaudhary R/o Village - Bhuiyan Toli, P.S -
Barun, District - Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

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

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

ORAL ORDER

2 10-12-2025 Heard learned counsel for the petitioner and learned
APP for the State.

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

3. The prosecution case, in short, is that total 259.500
liters liquor was recovered from railway station platform.

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. At the time of
seizure, the petitioner was travelling on the train and he had



gone to Latrine in the meantime Police personnel apprehended him merely on suspicion. Learned counsel for the petitioner further submitted that the recovery has been made from open place, which is accessible to public at large. The petitioner is in custody since 24.10.2025 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 Son Nagar Rail P.S. Case No. 35 of 2025.

(Rudra Prakash Mishra, J)

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