

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86134 of 2025

Arising Out of PS. Case No.-485 Year-2025 Thana- MASHRAK District- Saran

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1. Umesh Sah S/o Kanhaiya Sah Resident of Village- Dumarsan, P.S.- Mashrakh, Dist.- Saran
 2. Mithlesh Kumar @ Mithelesh Kumar S/o Late Sanker Sah @ Shankar Sah Resident of Village- Dumarsan, P.S.- Mashrakh, Dist.- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeet Kumar Singh, Advocate
For the Opposite Party/s : Mrs. Pronoti Singh, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 15-12-2025 Heard learned counsel for the petitioners and
learned APP for the State.

2. The petitioners seek bail in connection with Mashrakh P.S. Case No. 485 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 67.500 liters liquor was recovered near straw house in front of the house of petitioner no. 2 and both the petitioners were arrested on spot.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in the present case. No incriminating material has been recovered from the conscious possession of the petitioners. The petitioners have



got no concern with the alleged recovery of liquor. Learned counsel for the petitioners also submits that the alleged recovery has been made from the straw house near the house of petitioner no. 2 which belongs to co-accused Chhotelal Kumar. The petitioners are in custody since 28.11.2025. Petitioner no. 1 has got no criminal antecedent and petitioner no. 2 has got one criminal antecedent in which he is on bail. 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 petitioners.

6. Considering the aforesaid facts and circumstances of the case and the period of custody undergone by the petitioners, this Court is inclined to grant bail to the petitioners.

7. Let the petitioners be released on bail on furnishing bail bonds of Rs. 15,000/- (Rupees Fifteen Thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Mashrakh P.S. Case No. 485 of 2025.

(Rudra Prakash Mishra, J)

Rajorshi/-

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