IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87401 of 2025

Arising Out of PS. Case No.-637 Year-2025 Thana- Excise P.S. District- Sitamarhi

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Sanohar Kumar S/o Chandeshar Rai @ Chandeshwar Ray Resident of Village- (Bhawadepur) Chandiha Ward No. 10, P.S.- Riga, District- Sitamarhi

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Sanjay Kumar, Adv
For the Opposite Party/s : Mr. Abhay Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 18-12-2025 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail in connection with Madhyanished P.S. (Sitamarhi) Case No. 637 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 180 liters of Nepali liquor was recovered from Auto. 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 has got

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no concern with the alleged recovery of liquor. Learned counsel for the petitioner submits that petitioner is driver of the seized vehicle and he has no knowledge regarding the nature of goods kept in the vehicle. The petitioner is in custody since 24.08.2025 and has got clean 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 Madhyanished P.S. (Sitamarhi) Case No. 637 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

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bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

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