

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86836 of 2025

Arising Out of PS. Case No.-325 Year-2025 Thana- JOKIHAT District- Araria

Jay Kishor SAh @ Jay Kishor Shah S/o- Shivlal Sah R/v- Dhajba Ps- Bisfi
Noorchak Dist- Madhubani Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ramesh Kumar Singh, Adv

For the Opposite Party/s : Ms. Sucheta Yadav, APP

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

ORAL ORDER

2 16-12-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Jokihat
P.S. Case No. 325 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 192.54
liters of foreign liquor was recovered from Bolero. 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
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 13.10.2025
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, *after framing of charge, if not already framed*, 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 Jokihat P.S. Case No. 325 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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