

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5166 of 2026

Arising Out of PS. Case No.-467 Year-2025 Thana- BAISI District- Purnia

Md. Amir Kalam Son of Masiul Kalam @ Masihul Kalam Resident of
Dilawarpur, Ward No.- 13, P.S.- Baheri, District - Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mrs. Niharika Rani, Advocate Mr. Md Fazle Karim, Advocate
For the Opposite Party/s :		Mrs. Pronoti Singh, APP

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

ORAL ORDER

2 29-01-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Baisi
P.S. Case No. 467/2025 instituted for the offences punishable
under Sections 30(a), 41 and 47 of the Bihar Prohibition and
Excise Act.

3. The prosecution case, in short, is that total 132.960
litres of liquor was recovered from car.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case. No
incriminating article has been recovered from the conscious
possession of the petitioner. Learned counsel further submitted
that petitioner is not the owner of the vehicle. It is further
submitted that petitioner is the driver of the vehicle in question
but he had no knowledge regarding the goods loaded in the



vehicle. The petitioner is in custody since 23.11.2025 and has one criminal antecedent. There is no compliance of Section 103 of the Bharatiya Nagarika 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 as also 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 Baisi P.S. Case No. 467/2025, 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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