

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4724 of 2026

Arising Out of PS. Case No.-237 Year-2025 Thana- MOHAMMADPUR District- Gopalganj

Arjun Kumar Son of Birendra Sah Resident of village -Sirsa Manpur PS
-Baikunthpur Distt- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dharmveer, Advocate

For the Opposite Party/s : Mr. Arun Kumar, APP

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

ORAL ORDER

2 28-01-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Mohammadpur P.S. Case No. 237/2025 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 115 litres
of illicit country-made liquor was recovered from motorcycle.

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 in no manner connected with the vehicle in
question or with the alleged recovery of liquor. The petitioner is
in custody since 24.10.2025 and has two criminal antecedents.



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 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 Mohammadpur P.S.
Case No. 237/2025, 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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