

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3300 of 2026

Arising Out of PS. Case No.-85 Year-2025 Thana- SHIVAJINAGAR District- Samastipur

Jivachi Devi Wife Of Surendar Mahto @ Surendar Mandal R/O Village
Ghiwahi, P.O. And P.S.- Shivajinagar, District - Samastipur, State - Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhigyan Kumar, Advocate

For the Opposite Party/s : Mr. Ramesh Chandra, APP

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

ORAL ORDER

2 19-01-2026 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with
Shivajinagar PS Case No. 85 of 2025 instituted for the offences
under Section/s 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that 210 liters
country made liquor was recovered, out of which 45 liters was
recovered from the house of the petitioner.

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. It is submitted



that recovery is made from the joint house of the petitioner, where other family members also reside. The petitioner is in custody since 22.11.2025 and has got one criminal antecedent/s. There is no compliance of Section 103 of the BNSS, 2023.

5. Learned A.P.P. 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/- (Fifteen thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Shivajinagar PS Case No. 85 of 2025.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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