

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5296 of 2026

Arising Out of PS. Case No.-905 Year-2025 Thana- MAKHDUMPUR District- Jehanabad

MD. Istihak @ MD. Istiyaque S/O Md. Mustak R/O Village - Badi Khagoul
Jamalldhin Chak, Police station- Khagaoul, District- Patna, Bihar-801105

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mrs. Veena Kumari Jaiswal, 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
Makhdumpur (Tehta) P.S. Case No. 905/2025 instituted for the
offences punishable under Section 30(a) of the Bihar Prohibition
and Excise Act and Sections 338, 336(3) and 318(4) of the
B.N.S.

3. The prosecution case, in short, is that total 389.25
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 in no manner connected with the vehicle in question or with the alleged recovery of liquor. The petitioner is in custody since 22.11.2025 and has no 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 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 Makhdumpur (Tehta) P.S. Case No. 905/2025.

(Rudra Prakash Mishra, J)

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