

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4851 of 2026

Arising Out of PS. Case No.-462 Year-2025 Thana- MAJORGANJ District- Sitamarhi

Omprakash Kumar S/O Tahal Ram Resident of Village- Harnahiya, P.S. -
Sahiyara, District -Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Amitesh 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
Majorganj P.S. Case No. 462 of 2025 instituted for the offences
punishable under Section 317(5) of the B.N.S. and Section 30(a)
of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total 405 litres
of illicit country-made liquor was recovered from the 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 10.12.2025 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 Majorganj P.S. Case No. 462 of 2025.

(Rudra Prakash Mishra, J)

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