

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8153 of 2026

Arising Out of PS. Case No.-152 Year-2025 Thana- MORKAHI District- Khagaria

Uday Sah S/O Late Suresh Sah R/O Vill - Bachhauta, P.S - Morkahi, Dist.-
Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Damodar Prasad Tiwary, APP

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

ORAL ORDER

2 10-02-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Morkahi P.S. Case No. 152 of 2025, instituted for the offences punishable under Sections 30(a), 30(d), 33, 34(a) and 36 of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that 603.05 liters spirit was recovered from the house of petitioner and was apprehended on spot.

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 spirit. Learned counsel for the petitioner also submitted that the alleged recovery has been made from the hosue of the petitioner where other family members also reside. It is further submitted that the petitioner has been arrested only on the basis of suspicion. The petitioner is in custody since 21.10.2025 and has got one criminal antecedent in which he is on bail. There is no compliance of Section 103 of the Bharatiya Nagarik 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 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/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Morkahi P.S. Case No. 152 of 2025.

(Rudra Prakash Mishra, J)

Rajorshi/-

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