

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6023 of 2026

Arising Out of PS. Case No.-148 Year-2025 Thana- DEODHA District- Madhubani

Md. Kalam Son of Md. Jamashed R/o Village - Ama Tole, Ushrahi, Ward no. 01, P.S. - Deodha, Dist. - Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Bhavesh Kumar Sah, Advocate Mrs. Archana Aanand, Advocate
For the Opposite Party/s :		Mr. Sumit Kumar Singh, Advocate Mrs. Pronoti Singh, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 31-01-2026 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail in connection with Deodha P.S. Case No. 148 of 2025, instituted for the offences punishable under Sections 274, 275, 3(5) of the Bharatiya Nyaya Sanhita, 2023 and Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that 432 liters liquor was recovered from motorcycle.

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. Learned counsel



for the petitioner also submitted that the petitioner was not arrested on spot. Name of the petitioner has transpired in this case on the basis of confessional statement made by co-accused, namely, Md. Azad and the same has got no evidentiary value in the eye of law. It is further submitted that the petitioner is not the owner of the motorcycle in question and he has been arrested only on the basis of suspicion. The petitioner is in custody since 22.12.2025 and has got one criminal antecedent. 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 Deodha P.S. Case No. 148 of 2025.

(Rudra Prakash Mishra, J)

Rajorshi/-

U		T	
---	--	---	--

