

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8502 of 2026

Arising Out of PS. Case No.-22 Year-2026 Thana- MADHAURAH District- Saran

Vijay Basfor @ Khesari S/o- Late Rambabu Basfor Resident Of Village-
Marhowah Ward No 13, Ps- Marhowrah, Dist- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Tiwary, Advocate

For the Opposite Party/s : Mr.Arun Kumar, APP

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

ORAL ORDER

2 11-02-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in Marhowrah P.S. case
No. 22 of 2026 instituted for the offences under Sections 30(a)
and 37 of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that 4.86 liters
liquor was recovered from the house of co-accused and the
petitioner was arrested on spot in drunken state.

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



further submitted that recovery is made from the house of the co-accused. The petitioner is in custody since 07.01.2026 and has got one criminal antecedent. There is no compliance of Section 103 of B.N.S.S., 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 Marhowrah P.S. case No. 22 of 2026.

(Rudra Prakash Mishra, J)

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