

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8691 of 2026

Arising Out of PS. Case No.-788 Year-2025 Thana- RUPASPUR District- Patna

Sonu Kumar S/o- Sohan Ram R/v- Barahiya Ps- Barahiya Dist- Lakhisarai
... .. Petitioner/s

Versus

The State of Bihar Bihar
... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhishek Rai, Advocate
For the Opposite Party/s : Mr.Nitya Nand Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

3 25-02-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 30 (a) of the Bihar Prohibition and Excise Act.

3. The case of the prosecution, in brief, is that altogether 105 litres of country-made liquor was allegedly recovered from a scooty.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in connection with the present case. It is further submitted that nothing has been recovered from the conscious possession of the petitioner. It is further submitted that the petitioner is neither the owner nor the driver of the said scooty. According to the petitioner, the scooty belongs to some other person, and his



name has been falsely implicated in the present case. It is also contended that the witnesses to the seizure list are police personnel, and upon perusal of the seizure list, it does not clearly transpire as to the exact quantity of country-made liquor allegedly recovered. Moreover, it is submitted that the mandatory provisions of Section 105 have not been complied with by the police authorities. Petitioner has been languishing in judicial custody since 11.12.2025 having no criminal antecedent.

5. Learned APP appearing for the State has vehemently opposed the prayer of regular bail.

6. Considering the aforesaid facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Rupaspur P.S. Case No. 788 of 2025 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Excise Judge, Danapur, Patna.

(Ashok Kumar Pandey, J)

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