

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12497 of 2026

Arising Out of PS. Case No.-22 Year-2026 Thana- TANKUPPA District- Gaya

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Santosh Kumar @ Rocky Yadav Son of Sunil Prasad @ Sunil Kumar
Resident of Village-Sonarkhap, Ps- Tankuppa Dist- Gayaji

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Sheo Nandan Prasad, Advocate Mr. Rajnish Kumar, Advocate
For the Opposite Party/s :		Mr. Mritunjay Kumar Nirala, APP

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

ORAL ORDER

2 24-02-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Tankuppa P.S. Case No. 22 of 2026, instituted for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that 800 liters liquor was recovered from four motorcycles and the petitioner was arrested 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 liquor. Learned counsel for the petitioner also submitted that the petitioner is not the owner of any of the motorcycles in question. It is further submitted that the petitioner was a passerby of that way and was arrested only on the basis of suspicion. The petitioner is in custody since 20.01.2026 and has got no 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 Tankuppa P.S. Case No. 22 of 2026.

(Rudra Prakash Mishra, J)

Rajorshi/-

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