

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12969 of 2026

Arising Out of PS. Case No.-23 Year-2026 Thana- MITHANPURA District- Muzaffarpur

Sanjiv Kumar Son of Shiv Nath Prasad Resident of Mohalla Rambagh,
Bagalamukhi Mandir Ke Back, Ward No.- 38, P.S.- Mithanpura, District -
Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Pooja Prasad, Advocate

For the Opposite Party/s : Mr.Ramchandra Sahni, A.P.P.

**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
Mithanpura P.S. Case No. 23 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 total 214.200
liters liquor was recovered from car. Petitioner was arrested on
the 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



further submitted that the petitioner was neither owner nor driver of the vehicle. The petitioner had taken lift in the car and he had no knowledge regarding nature of goods loaded on the vehicle. The petitioner is in custody since 15.01.2026 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 Mithanpura P.S. Case No. 23 of 2026.

(Rudra Prakash Mishra, J)

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