

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14590 of 2026

Arising Out of PS. Case No.-444 Year-2025 Thana- JAYNAGAR District- Madhubani

Md. Kalam S/o Md. Jamshed R/o Village - Ama Tole, Ushrahi, Ward No. 01,
P.S - Deodha, District - Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Bhavesh Kumar Sah, Advocate Ms. Archana Aanand, Advocate
For the Opposite Party/s	:	Mrs. Renu Kumari, APP

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

ORAL ORDER

2 27-02-2026 Heard Mr. Bhavesh Kumar Sah, learned counsel for
the petitioner and Mrs. Renu Kumari, learned APP for the State.

2. The petitioner seeks bail in connection with Jaynagar P.S. Case No. 444 of 2025, instituted for the offences punishable under Sections 274, 275, 317(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 total 495 liters liquor was recovered from three motorcycles.

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 person and the same has got no evidentiary value. It is further submitted that the petitioner is not the owner of any of the motorcycles in question. The petitioner is in custody since 14.12.2025 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 Jaynagar P.S. Case No. 444 of 2025, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.



(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

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