

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14367 of 2026

Arising Out of PS. Case No.-396 Year-2025 Thana- RAMGARH District- Kaimur (Bhabua)

Naiyar Khan Son of Minaj Khan @ Md. Minhaj Khan R/o Village - Dumari,
P.S.- Durgavti, District - Kaimur at Bhabhua, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shahrukh Shiddiqui, Advocate
For the Opposite Party/s : Mr. Surendra Kumar, APP

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

ORAL ORDER

2 25-02-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Ramgarh P.S. Case No. 396 of 2025, instituted for the offences punishable under Sections 30(a), 38 and 41(1) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that 3010.41 liters liquor was recovered from the house of co-accused person.

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. The petitioner is in custody since 03.02.2026 and has got one criminal antecedent in which he is on bail. Learned counsel for the petitioner further submits that other co-accused has been granted regular bail by this Court vide order dated 19.02.2026 passed in Cr. Misc. No. 10109 of 2026. 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 Ramgarh P.S. Case No. 396 of 2025.

(Rudra Prakash Mishra, J)

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