

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21057 of 2026

Arising Out of PS. Case No.-321 Year-2025 Thana- BIHTA District- Patna

Monu Kumar S/o Ganesh Prasad @ Ganesh Sah Resident of Mohalla - Shital
Tola, P.S - Ara Town, District - Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajeev Ranjan No. Ii, Advocate
For the Opposite Party/s : Mr. Md. Anzarul Haque Sahara, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 02-04-2026 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 section 30(a) of the Bihar Prohibition and Excise Act.

3. The case of the prosecution is that from a tempo, altogether 300 liters of country made liquor was recovered. This petitioner was apprehended by the police on spot.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Learned counsel for the petitioner has submitted that nothing has been recovered from the possession of the petitioner. He has been falsely implicated in this case. He is not in any way concerned with the alleged tempo from where, the recovery has been made.



The witnesses of the seizure list are police personnel and police has not complied Section 105 of BNSS while preparing seizure. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent. Moreover, he is languishing in judicial custody since 09.05.2025.

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

6. Having heard learned counsel for the parties and considering the 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 Bihta P.S. Case No. 321 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 Judge Excise, Danapur.

(Ashok Kumar Pandey, J)

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