

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43058 of 2026

Arising Out of PS. Case No.-357 Year-2025 Thana- PARIHAR District- Sitamarhi

Masum @ Masum Raza Son of Mohabub Alam, Resident of Village-
Mahajan, P.S.- Bajpatti, District- Sitamarhi.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner	:	Mr. Pushpendra Kumar Singh, Advocate
For the State	:	Ms. Asha Kumari, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 01-07-2026 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. In the present case, the petitioner seeks bail in connection with Parihar P.S. Case No. 357 of 2025 dated 09.12.2025, registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act 2022.

3. As per the prosecution case, during the course of patrolling duty, a number of motorcycle riders were found carrying jute bags on their motorcycles and when they saw the Police, they tried to run away from the place, however chase was given and one person, namely Somji along with his motorcycle was apprehended. The other co-accused persons fled away leaving behind their motorcycles and from the four motorcycles left behind by the miscreants, recovery of 1341 litres of country made Nepali liquor was made. Petitioner is



stated to be the miscreant who fled away from the spot.

4. Learned counsel appearing on behalf of the petitioner submits that petitioner is innocent and he has falsely been implicated in the present case. Nothing incriminating has been recovered from his person or possession. The petitioner was not apprehended from the spot as is clear from the FIR. Petitioner has no concern with the motorcycle seized for the contraband recovered from the said motorcycles. Learned counsel next submits that petitioner is having clean antecedent and chargesheet has been submitted. Learned counsel lastly submits that petitioner is in custody since 12.05.2026.

5. Learned A.P.P. appearing on behalf of the State opposes the submissions made on behalf of the petitioner.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the fact that petitioner was not apprehended from the spot and no recovery has been shown from the petitioner and also considering his clean antecedent and his period of custody, the petitioner, above-named, is directed to be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned Special Judge, Exclusive Excise Court-



01, Sitamarhi / concerned Court, in connection with **Parihar P.S. Case No. 357 of 2025**, subject to the condition laid down under Section 480(3) of the B.N.S.S. and other following conditions:

(i) One of the bailors will be a close relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial Court.

(iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the Court concerned.

(Arun Kumar Jha, J)

Shahnawaz/-

U		T	
---	--	---	--

