

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42089 of 2026

Arising Out of PS. Case No.-827 Year-2025 Thana- MOTIHARI MUFASIL District- East
Champaran

=====

Santlal Prasad S/o- Late Ramanand Prasad Resident of Village- Madhubani
Ghat PS- Muffasil District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Kundan Rathore Alias Kundan Kumar, Adv.
For the Opposite Party/s : Mr.Anuj Kumar Shrivastava, APP

=====

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

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

02. In the present case, the petitioner seeks bail in connection with Muffasil P.S. Case No. 827 of 2025 registered for the alleged offences under Section 30(a) of Bihar Prohibition and Excise Act.

03. As per prosecution case, secret information was received about the petitioner and other co-accused persons storing illicit foreign liquor under a heap of straw near a bamboo clump. A raid was conducted and 14 jute bags were found kept concealed under the heap of straw from which recovery of 313.875 litres of foreign liquor was made.



04. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. The petitioner has no concern with the seized liquor or the place from there recovery has been made. The petitioner was not apprehended from the spot and nothing incriminating has been from the person or possession of the petitioner. The petitioner is a handicapped person and he has been made accused in this case due to his criminal antecedent as he is having antecedent of three cases of similar nature but he is on bail in all the cases. The petitioner is in custody since 08.05.2026.

05. Learned APP opposes the submission made on behalf of the petitioner.

06. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the fact that the petitioner was not apprehended from the spot and no recovery has been shown from the conscious possession of the petitioner and further considering the period of custody of the petitioner, the petitioner above named is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court No.-1, Motihari, East Champaran/concerned Court in connection with



Muffasil P.S. Case No. 827 of 2025, subject to the conditions mentioned in Section 480(3) of B.N.S.S. and also the 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.
- (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)

DKS/-

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

