

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48395 of 2026

Arising Out of PS. Case No.-215 Year-2026 Thana- MOTIHARI MUFASIL District- East
Champaran

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Ishrail Alam @ Israel Alam S/o Gulab Miyan @ Md. Gulab Miyan R/o
Village - Rulhi, PS - Mufassil, District - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Amit Kumar, Advocate
For the State	:	Mr. Abhay Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE KUMAR MANISH
ORAL ORDER

2 22-07-2026 Heard learned counsel for the petitioner and learned
A.P.P. on behalf of the State.

2. The petitioner has filed this bail application in connection with Motihari Mufassil P.S Case No. 215 of 2026, registered for the offence punishable under Sections 30(a) and 41(1) of the Bihar Prohibition and Excise Act, 2016 (as amended up-to-date). Later on, Sections 274, 275, 111(2) of the B.N.S were added.

3. The prosecution case, in short, is that, from the house of the petitioner, 15 liters of spirit liquor was recovered.

4. Learned counsel of the petitioner submits that he is innocent and he has been falsely implicated in this case due to dirty village politics and nothing has been recovered from the



conscious possession of the petitioner.

5. It has further been submitted that the witnesses of the seizure list are police personnel and police have not complied to Section 103 of the B.N.S.S while making seizure.

6. The petitioner is having a clean antecedent and is in judicial custody since 04.04.2026.

7. The coordinate Bench of this hon'ble Court in Cr. Misc No. 46427 of 2026 vide order dated, 13.07.2026 have granted bail to the co-accused, Rajesh Kumar and Kunti Devi.

8. Learned A.P.P. for the State vehemently opposed the prayer for bail of the petitioner.

9. Considering the aforesaid facts and circumstances of the case, the petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Judge-I, East Champaran at Motihari/ concerned Court in connection with Mufassil P.S. Case No. 215 of 2026 on the following condition:-

(i) That one of the bailor should be family member of the petitioner.

(ii) That the petitioner will cooperate in the trial and



will remain present on all dates personally or should be duly represented through his counsel and whenever required to be physically present by the Court, he should physically appear in Court on that date.

(iii) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Kumar Manish, J)

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