**IN THE HIGH COURT OF JUDICATURE AT PATNA**
**CRIMINAL MISCELLANEOUS No.80206 of 2026**

**CNR No. BRHC011090732026**

Arising Out of PS. Case No.-305 Year-2025 Thana- GOPALPUR District- Gopalganj

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Suraj Kumar Son of Bigan Chaudhary @ Vigan Chau Resident of Village- Lachhpur Takiabari, P.S.- Gopalpur, District- Gopalganj (Bihar)

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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**Appearance :**
For the Petitioner/s : Mr. Prince Kumar Mishra, Advocate
For the Opposite Party/s : Mr. Pradeep Narain Kumar, APP

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

ORAL ORDER

2 05-11-2026 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail in connection with Gopalpur PS Case No. 305 of 2025 instituted for the offences under Section/s 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that 21.6 liters country made liquor was recovered from motorcycle.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. Petitioner was not arrested from the spot and his name was disclosed by apprehended accused persons. No

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incriminating material has been recovered from the conscious possession of the petitioner. The petitioner has got no concern with the alleged recovery of liquor. It is submitted that recovery is from an open place, which is accessible to one and all. The petitioner is in custody since 05.08.2026 and has got three (3) criminal antecedent/s. There is no compliance of Section 103 of the BNSS, 2023.

5. Learned A.P.P. 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/- (Fifteen thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Gopalpur PS Case No. 305 of 2025, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the

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bail bonds of the petitioner.

**(Rudra Prakash Mishra, J)**

Raj Kishore/-

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