IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82465 of 2026
CNR No. BRHC011191862026
Arising Out of PS. Case No.-706 Year-2026 Thana- MASHRAK District- Saran

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Satish Kumar S/o Madan Prasad Rastogi Resident of Village- Masrakh, P.S.- Masrakh, District- Saran

... ... Petitioner

Versus

The State of Bihar

... ... Opposite Party

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Appearance :
For the Petitioner/s : Mrs. Madhu Mala Kumari, Adv.
For the Opposite Party/s : Mr. Rajesh Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA

ORAL ORDER

2 25-11-2026 Heard the parties.

2. The accused/petitioner seeks bail in connection with Mashrakh P.S. Case No.706 of 2026 registered for the offences punishable under Sections 303(2) & 317(5) of the B.N.S. and Section 30(a) of the Bihar Prohibition & Excise Act.

3. The accused/petitioner named in the FIR and is in custody since 03.10.2026.

4. Allegation against the petitioner is to engage in illegal trade/manufacturing of illicit liquor, where there is recovery of 14.040 litres of IMFL/country-made liquor.

5. It is submitted by learned counsel appearing for the petitioner that the seized illicit liquor was recovered from the roadside and as merely on the basis of petitioner, as the petitioner was crossing the site from where the illicit liquor was

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recovered, he was implicated with present case without having any cogent material. It is further submitted that the alleged stolen motorcycle was not recovered from the possession of this petitioner. Petitioner claimed clean antecedent.

6. Learned APP opposed the prayer of bail.

7. In view of aforesaid factual submissions and by taking note of the fact as recovery of illicit liquor *prima-facie* not appears to be made from physical possession of this petitioner, where petitioner being a man of clean antecedent remains in custody since 03.10.2026, accordingly, the petitioner above-named, is directed to be released on bail, furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand only) with two sureties of the like amount each to the satisfaction of learned 2nd Exclusive Special Excise Judge, Saran at Chapra in connection with Mashrakh P.S. Case No.706 of 2026, subject to the condition as laid down under Section 480(3) of the Bharatiya Nagarik Suraksha Sanhita (in short "B.N.S.S.").

(Chandra Shekhar Jha, J.)

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