

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.90167 of 2025

Arising Out of PS. Case No.-498 Year-2025 Thana- BANIAPUR District- Saran

Prakash Kumar S/o Manoj Chaudhary R/o Village- Kanhauli Manohar, P.S.-
Baniyapur, District- Saran, Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sauravh Singh, Advocate

For the Opposite Party/s : Mr. Kanhaiya Kishore, APP

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

ORAL ORDER

2 19-01-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Banjariyapur P.S. Case No. 498 of 2025 instituted for the
offences punishable under Section 30(a) of the Bihar Prohibition
and Excise Act.

3. The prosecution case, in short, is that total 75 litres
of liquor has been recovered from cowshed.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case. No
incriminating article has been recovered from the conscious
possession of the petitioner rather the recovery has been made
from an open place which is accessible to public at large. The



petitioner has got no concern with the alleged recovery of liquor. The petitioner is in custody since 19.11.2025 and has no criminal antecedent. There is no compliance of Section 103 of the Bharatiya Nagarika Suraksha Sanhita, 2023.

5. Learned APP 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 as also 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/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Banjariyapur P.S. Case No. 498 of 2025.

(Rudra Prakash Mishra, J)

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