

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.91791 of 2025**

Arising Out of PS. Case No.-423 Year-2025 Thana- SURSAND District- Sitamarhi

Babi Kumar Son of Shivji Paswan Resident of Village - Sursand, Ward No.  
06, P.S. - Sursand District - Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Shashank Shekhar, Advocate  
For the Opposite Party/s : Ms. Pronoti Singh, 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 Sursand  
P.S. Case No. 423 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 333 litres  
of liquor was recovered from two motorcycles.

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. Learned counsel further submitted  
that petitioner is in no manner connected with the vehicles in  
question or the alleged recovery of liquor. The petitioner is in



custody since 22.11.2025 and has two criminal antecedents. 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 Sursand P.S. Case No. 423 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 bail bonds of the petitioner.

**(Rudra Prakash Mishra, J)**

Alok Verma/-

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