

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.91677 of 2025

Arising Out of PS. Case No.-871 Year-2025 Thana- MOTIHARI TOWN District- East
Champaran

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Suraj Kumar S/o Rakesh Kumar @ Rakesh Mahto R/o Village/ Mohalla-
Miscot, Ward No.8, P.S.- Town, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Asif Kalim, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar, APP

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**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 Town
P.S. Case No. 871 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 189
litres of liquor has been recovered from the rented room of the
petitioner.

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 the rented room of the petitioner. The petitioner has got no
concern with the alleged recovery of liquor. The petitioner is in
custody since 01.09.2025 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 Town P.S. Case No.
871 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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