

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2936 of 2026

Arising Out of PS. Case No.-797 Year-2025 Thana- MADHAURAH District- Saran

Goodu Kumar S/O Late Raj Kumar R/O Vill.- Mirjapur,P.S-Marhowrah,Dist.-
Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Akash Ambuj, Advocate

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

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

ORAL ORDER

3 10-03-2026 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with
Marhowrah PS Case No. 797 of 2025 instituted for the offences
under Section/s 30(a) of the Bihar Prohibition, Excise Act,
Section 318(4) of the Bharatiya Nyaya Sanhita, 2023 and
Section 11 of Bengal Gambling Act.

3. The prosecution case, in short, is that 10 liters
country made liquor, 01 bundle of cards, 1 screen for writing
lottery, 01 small bundle of paper were recovered from bamboo
orchard.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the



present case. No 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 04.12.2025 and has got no 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, clean antecedent of the petitioner 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 Marhowrah PS Case No. 797 of 2025.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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