

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26770 of 2025

Arising Out of PS. Case No.-159 Year-2017 Thana- KOPA District- Saran

Sanjay Rai S/O Ramanand Rai R/O Vill.- Ratanpur, Ahir Toli, P.S.- Bhagwan Bazar, Dist.- Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dewendra Narayan Singh, Adv.

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

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 29-04-2025 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail in connection with Kopa P.S. Case No. 159 of 2017 instituted for the offences under Sections 272, 273, 308 of the Indian Penal Code and Sections 37(a), 38(1) of the Bihar Prohibition and Excise Act, 2018.

3. As per prosecution case, the police has recovered total 200 liters of illicit country-made liquor from the Tempo. It is alleged that the petitioner's Aadhar Card was seized from the alleged Tempo.

4. Learned counsel for the petitioner submits that



the petitioner is innocent and has committed no offence as alleged against him and has falsely been implicated in the present case. He further submits that nothing incriminating has been recovered from the conscious possession of the petitioner or from his house. The petitioner is neither owner nor driver of the seized Tempo. The name of the petitioner has surfaced in this case in course of investigation on the basis of his Aadhar Card being recovered from the alleged Tempo. The petitioner has no concern with the seized liquor. There is a non-compliance of Section 103 of the B.N.S.S. which creates a serious doubt in the prosecution case. The petitioner has one criminal antecedent and is languishing in judicial custody since 18.03.2025 without any rhymes or reason.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the



petitioner, let the petitioner, abovenamed, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Kopa P.S. Case No. 159 of 2017.

(Rudra Prakash Mishra, J)

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