

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39317 of 2025

Arising Out of PS. Case No.-83 Year-2024 Thana- SAMASTIPUR MUFFASIL District-
Samastipur

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Santlal Rai @ Santlal Kumar S/o Brahamdeo Rai Resident of village-
Pokhraise, P.S.- Muffasil, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Brajesh Kumar Singh, Adv.
For the Opposite Party/s : Mr.Khurshid Anwar, APP

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

ORAL ORDER

3 12-08-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Samastipur Muffasil P.S. Case No. 83 of 2024 instituted for the
offences under Section 30(a) of the Bihar Prohibition and Excise
Act.

3. As per prosecution case, the police has recovered
193.500 liters of illicit liquor from the *bathan* of the co-accused
Pankaj Kumar.

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 rather the alleged illicit liquor has been recovered from the possession of Raja Kumar and cattle shed of co-accused Pankaj Kumar. The name of the petitioner has surfaced in this case on the basis of the disclosures made by the co-accused Raja Kumar who has been granted bail vide order dated 14.05.2024 passed by a Co-ordinate Bench of this Court in Cr. Misc. No. 36832 of 2024. 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 three criminal antecedents and in all of them, he is on bail and is languishing in judicial custody since 14.02.2025 without any rhyme or reason.

5. Learned counsel for the petitioners again submits that the co-accused namely Pankaj Kumar has been granted bail by this Court vide order dated 08.05.2024 passed in Cr. Misc. No. 34818 of 2024.

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

7. 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.15,000/- (Fifteen thousand) with two sureties
of the like amount each to the satisfaction of Court
below/concerned Court in connection with Samastipur Muffasil
P.S. Case No. 83 of 2024.

(Rudra Prakash Mishra, J)

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