

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42312 of 2025

Arising Out of PS. Case No.-119 Year-2025 Thana- JAYNAGAR District- Madhubani

Sanjay Nayak S/o Late Lakshmi Nayak Resident of village- Fardahi Tola,
Durga Mandir, P.S.-Jaynagar, Distt- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Subhash Kumar Jha, Advocate

For the Opposite Party/s : Mr. Narsingh Tanti, APP

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

ORAL ORDER

2 08-07-2025 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with Jaynagar PS Case No. 119 of 2025 instituted for the offences under Section/s 30(a) of the Bihar Prohibition and Excise Act and Sections 274, 275, 317(5) & 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. The prosecution case, in short, is that 1440 liters liquor was recovered from eight motorcycles.

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 name of the petitioner has surfaced in this case on the basis of disclosure made by apprehended co-accused person. Petitioner is not the owner of any of the eight motorcycles in question. The petitioner is in custody since 14-05-2025 and has got five 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 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.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Jaynagar PS Case No. 119 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)

Raj Kishore/-

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