

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43286 of 2025

Arising Out of PS. Case No.-186 Year-2025 Thana- SONEPUR District- Saran

Umesh Kumar @ Umesh Rai Son of Wakil Rai R/O Vill- Ramjanipur, P.S.-
Shivnarayanpur, District- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Tribhuwan Narayan, Advocate
For the Opposite Party/s : Mr. Choubey Jawahar, APP

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

ORAL ORDER

3 22-07-2025 Heard Mr. Tribhuwan Narayan, learned counsel for the
petitioner and Mr. Choubey Jawahar, learned APP for the State.
Perused the case diary called for in Cr. Misc. No. 22564 of
2025.

2. The petitioner seeks bail in connection with
Sonepur PS Case No. 186 of 2025 instituted for the offences
under Section/s 30(a) of the Bihar Prohibition and Excise Act
and Sections 317(5), 111 & 61(2) of the Bharatiya Nyaya
Sanhita, 2023.

3. The prosecution case, in short, is that 6912 liters
English wine was recovered from truck.



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 local chowkidar. Petitioner has no concern with the truck in question. The petitioner is in custody since 29-04-2025 and has got two 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 Sonapur PS Case No. 186 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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