

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.50338 of 2025**

Arising Out of PS. Case No.-323 Year-2021 Thana- KOCHADHAMAN District- Kishanganj

Bhogendra Rai @ Yogendra Roi @ Yogendra Kumar Rai S/O Late Surendra  
Roy R/O Village- Thekpura Dekpura, Police Station- Raniganj, District- Araria

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Kundan Kumar Singh

For the Opposite Party/s : Mr.Sanjay Kumar Sharma

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH  
SINGH**

ORAL ORDER

2      29-07-2025                      Heard learned counsel for the petitioner and learned  
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Special Excise Case No. 571A/2021, arising out of Kochadhaman P.S. Case No. 323/2021 dated 01.12.2021 registered for the offences punishable u/s 30(a), 32, 41 and 47 of the Bihar Prohibition and Excise Act and Section 272 and 273 of the I.P.C.

3. As per the prosecution case, total 609.840 litres of illicit foreign liquor was recovered from the Mahindra Pick-up van.

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



this case. Nothing has been recovered from the conscious possession of the petitioner. As per para. 10 of the bail petition, the petitioner has no concern with the alleged vehicle. The petitioner has no concern with the alleged recovery. The petitioner has 15 antecedents as stated in para 3 of the bail petition. The petitioner is in custody since 28.05.2025.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Kishanganj in connection with Special Excise Case No. 571A/2021, arising out of Kochadhaman P.S. Case No. 323/2021, with the conditions:-

(i). The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bonds of the petitioner is liable to be cancelled.

(ii). If the petitioner is found involved in similar nature of offence in the future, the prosecution will be at liberty



to move for cancellation of his bail bonds.

7. The application stands allowed.

**(Chandra Prakash Singh, J)**

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