

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51617 of 2025

Arising Out of PS. Case No.-368 Year-2024 Thana- KOTWA District- East Champaran

Sanjay Yadav @ Sanjay Rai @ Sanjay Ray S/O Ambika Yadav @ Ambika Rai R/O Vill.- Maharani Bhopat Kotwa, P.S.- Motihari, Dist.- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Priyesh Kumar, Adv.

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

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 31-07-2025 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 Kotwa P.S. Case No. 368 of 2024 dated 30.12.2024 registered for the offences punishable u/ss 274, 275 read with Section 3(5) of the B.N.S. and Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 145 litres of Spirit was recovered from the paddy straw of the co-accused, Asesar Mahto.

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. It is further submitted that the petitioner has no concern with the alleged recovery rather the recovery has been



made from the co-accused, Asesar Mahto. The co-accused person has already been granted regular bail by this court vide order dated 16.04.2025 passed in Cr. Misc. No. 19967/2025. The petitioner has 12 (twelve) criminal antecedents as stated in para 3 of the bail petition. The petitioner is in custody since 02.06.2025.

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, East Champaran at Motihari in connection with Kotwa P.S. Case No. 368 of 2024 with the condition :-

(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 bond of the petitioner is liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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