

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73109 of 2025

Arising Out of PS. Case No.-129 Year-2025 Thana- JAYNAGAR District- Madhubani

Vijay Kamat @ Vijay Kumar S/O Paltu Kamat @ Shyam Sundar Kamat R/O
Village- Baira, Balapatti, Ward No.02, P.S - Jaynagar, District - Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Alias Ashok Karn, Adv.

For the Opposite Party/s : Mr.Ram Anurag Singh, APP

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

ORAL ORDER

2 14-10-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Jaynagar P.S. Case No. 129 of 2025 (G.R. No. 525 of 2025) instituted for the offences under Sections 274, 275 and 317(5) of the Bhartiya Nyaya Sanhita, 2023 and Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per prosecution case, the police has recovered total 900 liters of illicit Nepali liquor from the car.

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 due to local village politics. The petitioner was not arrested from



the place of occurrence and his name has surfaced in this case on the basis of the disclosures made by the local *Chowkidar*. He further submits that nothing incriminating has been recovered from the conscious possession of the petitioner. The petitioner has no concern either with the alleged recovery of illicit liquor or the seized vehicle. 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 no criminal antecedent and is languishing in judicial custody since 17.08.2025 without any rhymes or reason. He further submits that the co-accused Ashok Sahni has already been granted bail by this Court vide order dated 09.07.2025 passed in Cr. Misc. No. 43085 of 2025.

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

6. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case, taking into account the period of custody of the petitioner, the petitioner having no criminal antecedent as also the prayer for bail being based on parity, let the petitioner, abovenamed, 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 P.S. Case No. 129 of 2025 (G.R. No. 525 of 2025).

(Rudra Prakash Mishra, J)

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