

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74040 of 2025

Arising Out of PS. Case No.-105 Year-2025 Thana- KALYANPUR District- Samastipur

Umesh Ray @ Umesh Rai S/o Late Gopichander Rai @ Late Gopi Chandra
Ray @ Late Gopichand Ray R/o Village- Tira Jatmalpur, P.S.- Kalyanpur,
District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary, APP

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

ORAL ORDER

2 30-10-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. Earlier, anticipatory bail of the petitioner was rejected by a co-ordinate Bench of this Court vide order dated 09.07.2025 passed in Cr. Misc. No. 42487 of 2025.

3. The petitioner seeks bail in connection with Kalyanpur P.S. Case No. 105 of 2025, instituted for the offences punishable under Sections 30(a) and 41(1) of the Bihar Prohibition and Excise Act.

4. The prosecution case, in short, is that 119.160 liters liquor was recovered from a car.

5. 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. Learned counsel for the petitioner also submits that the petitioner was not present at the place of occurrence. Name of the petitioner has transpired in this case on the basis of disclosure made by local chaukidar. It is further submitted that the petitioner has got no concern with the car in question. The petitioner is in custody since 27.08.2025 and has got two criminal antecedents in which he is on bail. There is no compliance of Section 103 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

6. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. 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.

8. Let the petitioner be released on bail on furnishing bail bonds of Rs. 15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Kalyanpur P.S. Case No. 105 of 2025.

(Rudra Prakash Mishra, J)

Rajorshi/-

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