

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77049 of 2025

Arising Out of PS. Case No.-101 Year-2025 Thana- VISHAMBHARPUR District- Gopalganj

Sandul Rai @ Sandool Rai @ Rishu Rai @ Sendul Rai S/O Late Suneshwar
Rai R/O Vill.- Baraipatti, P.S.- Yadopur, Dist.- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Mili Kumari, Advocate

For the Opposite Party/s : Mr. Parmanand Prasad, APP

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

ORAL ORDER

2 15-11-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Bishambharpur P.S. Case No. 101 of 2025, instituted for the offences punishable under Section 317(5) of the Bharatiya Nyaya Sanhita, 2023 and Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that 178.8 liters liquor was recovered from five motorcycles out of which 54 liters liquor has been recovered from the motorcycle of the petitioner.

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



present case. Charge-sheet has been submitted in this 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 has got no concern with the alleged motorcycle in question. Name of the petitioner has transpired in this case on the basis of secret information received by the police. The petitioner is in custody since 19.07.2025 and has got eight criminal antecedents. There is no compliance of Section 103 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

5. Learned APP 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 ***after framing of charge, if not already framed*** 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 Bishambharpur P.S. Case No. 101 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)

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