

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75166 of 2025

Arising Out of PS. Case No.-87 Year-2019 Thana- CHAPRA MUFFASIL District- Saran

Satyandra Kumar Rai @ Satyendra Rai S/O Vishwanath Rai @ Bishwanath
Ray @ Shivnath Rai R/o village - Sada , P.S.- Muffasil , District - Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravi Prakash, Adv.

For the Opposite Party/s : Mr. Choubey Jawahar, APP

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

ORAL ORDER

2 03-11-2025 Heard learned counsel for the petitioner and Mr.
Choubey Jawahar, learned APP for the State.

2. The petitioner seeks bail in connection with Chapra Muffasil P.S. Case No. 87 of 2019 instituted for the offences under Sections 272, 273/34 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per prosecution case, the police has recovered total 120 liters of illicit country-made liquor from the possession of the co-accused.

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. The name of the petitioner has surfaced in this case on the basis



of the confessional statement of the apprehended co-accused person recovered before the police which has got no evidentiary value in the eye of law. He further submits that nothing incriminating has been recovered from the conscious possession of the petitioner rather the same has been recovered from the open place accessible to one and all. The petitioner has no concern with the seized liquor. The petitioner has never indulged either in manufacturing or trading of the illicit liquor. 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 two criminal antecedents and is languishing in judicial custody since 10.09.2025 without any rhymes or reason.

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 as also taking into account the period of custody of the petitioner, let the petitioner, abovenamed, 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 Chapra Muffasil
P.S. Case No. 87 of 2019.

(Rudra Prakash Mishra, J)

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