

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86835 of 2025

Arising Out of PS. Case No.-109 Year-2025 Thana- Raghunathpur District- East Champaran

Binod Kumar @ Vinod Kumar @ Vinod Sahani S/O Pannalal Sahani @
Panna Lal Sahani @ Panalal Sahani R/O Vill.- Sapahi Kodarwa Ghat, P.S.-
Raghunathpur, Dist.- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Suraj Kumar Tiwari, Adv

For the Opposite Party/s : Mr. Md. Nazir Ansari, APP

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

ORAL ORDER

2 16-12-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Raghunathpur P. S. Case No. 109 of 2025, instituted for the
offences punishable under Sections 30(a), 41(1), 52 of the Bihar
Prohibition and Excise Act.

3. Earlier vide order dated 11.08.2025 passed in Cr.
Misc. No. 51010 of 2025, anticipatory bail of the petitioner was
rejected by a Co-ordinate Bench of this Court.

4. The prosecution case, in short, is that total 85 liters
of country made liquor was recovered behind the house of co-
accused.

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 submits that petitioner has no concern with the co-accused namely Sikandar Kumar. It is further submitted that the recovery has been made from an open place, which is accessible to one and all. It is also further submitted that petitioner's name has transpired only on the basis of secret information. The petitioner is in custody since 24.11.2025 and has got one criminal antecedent. Learned counsel for the petitioner further submits that other co-accused has been granted anticipatory bail by a Co-ordinate Bench of this Court vide order dated 18.08.2025 passed in Cr. Misc. No. 52865 of 2025. 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 Raghunathpur P. S. Case No. 109 of 2025.

(Rudra Prakash Mishra, J)

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