

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2380 of 2026

Arising Out of PS. Case No.-156 Year-2025 Thana- VIDYAPATINAGAR District-
Samastipur

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1. Sanjay Kumar @ Sanjay @ Sanjay Ray S/O Late Shatrudhan Ray Resident of Village- Bamaura, P.S.- Vidyapatinagar, Dist- Samastipur.
 2. Avinash Kumar @ Avinash Ray @ Abhinash Kumar S/O Bhola Rai Resident of Village- Chamtha, P.S.- Bachwara, Dist- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shashank Shekhar, Advocate

For the Opposite Party/s : Ms.Asha Devi, A.P.P.

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

ORAL ORDER

2 21-01-2026 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners seek bail in connection with Vidyapatinagar P.S. Case No. 156 of 2025, instituted for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act and Sections 274, 275 and 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. The prosecution case, in short, is that 210 liters Mahua liquor was recovered from bushes.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in the present case. No incriminating material has been recovered from



the conscious possession of the petitioners. The petitioners have got no concern with the alleged recovery of liquor. Learned counsel for the petitioner further submitted that the recovery has been made from open place, which is accessible to public at large. The petitioners are in custody since 17.12.2025 and have got no criminal antecedent. 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 petitioners.

6. Considering the aforesaid facts and circumstances of the case and the period of custody undergone by the petitioners, this Court is inclined to grant bail to the petitioners.

7. Let the petitioners be released on bail on furnishing bail bonds of Rs. 15,000/- (Rupees Fifteen Thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Vidyapatnagar P.S. Case No. 156 of 2025, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioners.

(II) The petitioners 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 petitioners.

(Rudra Prakash Mishra, J)

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