

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4242 of 2026

Arising Out of PS. Case No.-503 Year-2025 Thana- BEUR District- Patna

SANJAY KUMAR Son of Late Mohrai Rai Resident of Village - Vishunpur
Pakari, P.S.- Beur, District - Patna, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shailendra Kumar Singh, Advocate

For the Opposite Party/s : Mr.Braj Kishore Pd.(App)

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

ORAL ORDER

2 28-01-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in Beur P.S. case No. 503
of 2025 instituted for the offences under Sections 30(a) and
32(2) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that during search
made by the police, 615 liters liquor was recovered from car
and auto.

4. 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. It is



further submitted that the petitioner has been implicated only on the basis of suspicion. The petitioner is in custody since 15.12.2025 and has got eight criminal antecedent and he is on bail in all the cases as stated in paragraph No. 3 of the application. There is no compliance of Section 103 of B.N.S.S., 2023. Co-accused have been granted bail by this Bench vide order dated 26.11.2025 passed in Cr. Misc. No. 80316 of 2025 and order dated 04.12.2025 passed in Cr. Misc. No. 82650 of 2025 .

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. The petitioner has eight criminal antecedents, hence, he may not be released on bail.

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/- (Fifteen thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Beur P.S. case No. 503 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.

(III) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Rudra Prakash Mishra, J)

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