

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9512 of 2026

Arising Out of PS. Case No.-121 Year-2025 Thana- BELSAND District- Sitamarhi

Vishal Kumar son of Brijnandan Ray @ Vrij Nandan Ray Resident of Village
-Patahi PS -Belsand District -Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Gauri Shankar Gupta, APP

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

ORAL ORDER

2 12-02-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Belsand P.S. Case No. 121 of 2025, instituted for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act.

3. Earlier, the petitioner has prayed twice for anticipatory bail and the same have been dismissed as withdrawn by a co-ordinate Bench of this Court vide orders dated 15.09.2025 and 21.11.2025 passed in Cr. Misc. Nos. 57680 of 2025 and 80038 of 2025 respectively.

4. The prosecution case, in short, is that 139.5 liters liquor was recovered from open place in carton boxes.



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 also submitted that the petitioner was not arrested on spot. Name of the petitioner has transpired in this case on the basis of disclosure made by local chaukidar. It is further submitted that the alleged recovery has been made from an open place and the same is easily accessible to the public at large. The petitioner is in custody since 10.01.2026 and has got three criminal antecedents in which he is on bail. 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 Belsand P.S. Case No. 121 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)

Rajorshi/-

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