

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15589 of 2026

Arising Out of PS. Case No.-61 Year-2025 Thana- Bhopatpur District- East Champaran

Satendra Rai @ Satendra Yadav S/o Nand Kishor Rai @ Late Nandkishor Rai
@ Nandkishor R/o Village - Jamunapur, P.S - Kalyanpur, District - East
Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhishek Kumar, Advocate

For the Opposite Party/s : Mr.Tarkeshwar Nath Thakur, APP

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

ORAL ORDER

2 11-03-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in Bhopatpur P.S. case No.
61 of 2025 instituted for the offences under Sections 30(a), 33
and 41(1) of the Bihar Prohibition and Excise Act. Earlier, the
anticipatory bail application of the petitioner has been dismissed
as withdrawn by order dated 17.01.2026 passed in Cr. Misc. No.
78834 of 2025 by a co-ordinate Bench of this Court.

3. The prosecution case, in short, is that 1005 liters
spirit was recovered from drum near a field.

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 name of the petitioner has transpired on the basis of disclosure made by local chowkidar. Recovery has been made from an open place accessible to public at large. The petitioner is in custody since 18.12.2025 and has got six criminal antecedents in which he is on bail as disclosed in paragraph No. 3 of the application. There is no compliance of Section 103 of B.N.S.S., 2023. Co-accused has been granted regular bail by this Bench vide order dated 19.01.2026 passed in Cr. Misc. No. 2974 of 2026 whereas another co-accused has been granted anticipatory bail by a Co-ordinate Bench of this Court by order dated 01.11.2025 passed in Cr. Misc. No. 73312 of 2025.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

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 Bhopatpur P.S. case No. 61 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 and shall not remain absent on two consecutive dates without sufficient cause.

(III) The petitioner will not tamper with the evidence or the witnesses during the trial.

(IV) Petitioner shall not commit offence of similar nature in future.

If any of the above conditions are violated, the Trial Court shall be at liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Pankaj/-

U		T	
---	--	---	--

