

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13263 of 2026

Arising Out of PS. Case No.-127 Year-2025 Thana- CHANDAN District- Banka

Subhodh Kumar Ray @ Subodh Kr. Rai S/O Lal Babu Ray village- Nagar
Gama, Pharpur, ward no. 10, P.S.- Raghobpur, District- Vaishali.. Petitioner/s
Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mrs.Bela Singh, Advocate
For the Opposite Party/s : Mrs.Meena Singh, APP

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

ORAL ORDER

2 25-02-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in Special Excise Case No.
388 of 2025, arising out of Chandan P.S. case No. 127 of 2025
instituted for the offences under Section 30(a) of the Bihar
Prohibition and Excise Act.

3. The prosecution case, in short, is that 2332.8 liters
liquor was recovered from pick-up vehicle and the petitioner
was arrested on spot.

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 was neither owner nor



driver of the vehicle. The petitioner was merely sitting as a passenger in the vehicle and had no knowledge regarding the nature of goods kept in vehicle. The petitioner is in custody since 09.12.2025 and has got no criminal antecedent. There is no compliance of Section 103 of B.N.S.S., 2023. Co-accused has been granted bail by this Bench vide order dated 04.02.2026 passed in Cr. Misc. No.7198 of 2026.

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 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 Special Excise Case No. 388 of 2025, arising out of Chandan P.S. case No. 127 of 2025.

(Rudra Prakash Mishra, J)

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