

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15757 of 2026

Arising Out of PS. Case No.-450 Year-2025 Thana- BAIKUNTHPUR District- Gopalganj

Baidhyanath Rai @ Sadhu Rai S/O Late Bachan Rai Resident of village-
Faijulahpur, P.S- Baikunthpur, District - Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sumit Kumar Srivastva, Advocate

For the Opposite Party/s : Mr. Nand Kishore Prasad, APP

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

ORAL ORDER

2 12-03-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in connection with Baikunthpur P.S. Case No. 450 of 2025 instituted for the offences punishable under Sections 30(a), 41 of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total 275 litres of liquor was recovered out of which 20 litres was recovered from the *dalaan* of the petitioner.

4. Learned counsel for the petitioner submitted that the petitioner has falsely been implicated in the present case. The name of the petitioner transpired in this case on the basis of confessional statement of the apprehended co-accused. Learned counsel further submitted that petitioner has no knowledge and



concern with the alleged recovery. Learned counsel further submitted that the alleged recovery has been made from an open place which is accessible to public at large. Learned counsel, therefore, submitted that prima-facie, no case is made out against the petitioner. The petitioner has no criminal antecedent. There is no compliance of Section 103 of the Bharatiya Nagarika Suraksha Sanhita, 2023.

5. Learned APP 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, let the petitioner, above named, in the event of arrest/surrender before the lower court within a period of six weeks from today, be released on anticipatory 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 Baikunthpur P.S. Case No. 450 of 2025, subject to the conditions as laid down under Section 482(2) of the Bharatiya Nagarika Suraksha Sanhita, 2023.

(Rudra Prakash Mishra, J)

Alok Verma/-

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

