

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32486 of 2026

Arising Out of PS. Case No.-81 Year-2022 Thana- NATIONAL HIGHWAY District-
Samastipur

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Vinay Kumar S/o Maksudan Ray, R/V - Chakmirbaki, P.S- Baligaon, District
– Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Umanath Mishra, APP

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 12-05-2026 Heard learned counsel for the petitioner and

learned A.P.P. for the State.

2. In the present case, the petitioner seeks bail in connection with N.H. Bangra P.S. Case No. 81 of 2022, dated 09.07.2022, registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act and Sections 272 and 273 of the Indian Penal Code.

3. As per the prosecution case, recovery of 263.160 litres of illicit foreign liquor was made from a vehicle when the Police conducted the raid on receipt of a tip-off about bringing in of illicit liquor by some miscreants. A number of persons fled away from the spot and the name of the petitioner transpired during investigation as a purchaser of the vehicle from which recovery has been made.



4. Learned counsel appearing on behalf of the petitioner submits that petitioner is innocent and he has falsely been implicated in the present case. The petitioner was not apprehended from the spot and nothing incriminating has been recovered from his person or possession. The alleged recovery has been made from a Verna car and it is alleged that the petitioner is the purchaser of the said vehicle on stamp paper, but the same is not registered or transferred in his name. Therefore, the implication of the petitioner on this ground is not correct. Learned counsel next submits that petitioner is having antecedent of three cases. Learned counsel lastly submits that petitioner is in custody since 11.04.2026.

5. Learned A.P.P. appearing on behalf of the State opposes the submissions made on behalf of the petitioner and submits that petitioner appears to be habitual offender.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the fact that petitioner was not apprehended from the spot and no recovery has been shown from him and also considering his period of custody, the petitioner, above-named, is directed to be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties of the like



amount each to the satisfaction of learned Exclusive Special Judge Excise-II, Samastipur / concerned Court, in connection with **N.H. Bangra P.S. Case No. 81 of 2022**, subject to the condition laid down under Section 480(3) of the B.N.S.S. and other following conditions:

(i) One of the bailors will be a close relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial Court.

(iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the Court concerned.

(Arun Kumar Jha, J)

Shahnawaz/-

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