

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.88877 of 2025**

Arising Out of PS. Case No.-57 Year-2025 Thana- NATIONAL HIGHWAY District-  
Samastipur

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Durga Kumar @ Durga Chand Ray @ Durga Chandra Rai Son of Late  
Babulal Ray @ Late Bauelal Ray Resident of Village- Gaddopur Sirsiya, P.S.-  
National highway Bangara, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Mahendra Pratap, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Sharma, APP

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

ORAL ORDER

2      19-01-2026              Heard learned counsel for the petitioner and learned APP  
for the State.

2.      The petitioner seeks bail in connection with  
National Highway Bangra PS Case No. 57 of 2025 instituted for  
the offences under Section/s 30(a) of the Bihar Prohibition and  
Excise Act.

3.      The prosecution case, in short, is that 102.750 liters  
liquor was recovered from under-constructed house of the  
petitioner.

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 submitted that recovery is made from the joint house of the petitioner, where other family members also reside. The petitioner is in custody since 14.10.2025 and has got three criminal antecedent/s. There is no compliance of Section 103 of the BNSS, 2023.

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 National Highway Bangra PS Case No. 57 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.

Raj Kishore/-

**(Rudra Prakash Mishra, J)**

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