

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.89284 of 2025

Arising Out of PS. Case No.-331 Year-2025 Thana- JAYNAGAR District- Madhubani

Santosh Kumar @ Santosh Kumar Yadav Son of Rajdev Yadav Resident of
Village- Kuadh, P.S.- Jaynagar, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Kumari Pallavi, Advocate
For the Opposite Party/s : Mr. Lakshmi Kant Sharma, APP

**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 apprehends his arrest in connection
with Jaynagar PS Case No. 331 of 2025 instituted for the
offences under Sections 274, 275, 317(5) & 3(5) of the
Bharatiya Nyaya Sanhita, 2023 and Section 30(a) of the Bihar
Prohibition and Excise Act.

3. The prosecution case, in short, is that total 675
litres of liquor was recovered from three motorcycles.

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 disclosure made by apprehended co-accused person. Petitioner is not the owner of any of the motorcycles in question and he has no concern with the same. The petitioner has got no concern with the alleged recovery of liquor. The petitioner has one criminal antecedent. There is no compliance of Section 103 of the Bharatiya Nagarika Suraksha Sanhita, 2023. Learned counsel for the petitioner, therefore, contends that prima-facie no case is made out against the petitioner. Other co-accused has been granted regular bail by this Court vide order dated 27.11.2025, passed in Cr. Misc. No. 81313 of 2025.

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 learned Court below within a period of six weeks from today, be released on anticipatory 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 Jaynagar PS Case No. 331 of 2025, subject to the conditions as laid down under Section 482(2) of the Bharatiya Nagarika Suraksha Sanhita,



2023.

Raj Kishore/-

(Rudra Prakash Mishra, J)

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