

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1075 of 2025

Arising Out of PS. Case No.-854 Year-2024 Thana- SONEPUR District- Saran

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Mohan Rai @ Mohan Kumar S/O Dipak Rai R/O Village - Sabalpur
Pachhiyari Tola, P.S- Sonapur, District- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ganesh Prasad Singh, Advocate

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

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

ORAL ORDER

2 17-01-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection
with Sonpur P.S. Case No. 854 of 2024 registered for the
offences punishable under Sections 30(a) of the Bihar
Prohibition and Excise Act.

3. As per prosecution case, there is recovery of total
898.56 litres of foreign liquor from a Truck.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence as alleged
against him and has falsely been implicated in the present case.
Petitioner has no knowledge and concern with the alleged
recovery of liquor. No incriminating material has been



recovered from the conscious possession of the petitioner. Petitioner is the brother of the owner of the truck and due to which he has been implicated in this case. Petitioner bears two criminal antecedents. There is no compliance of Section 103 of the BNSS, 2023. Other co-accused has been allowed regular bail by this Court *vide* order dated 19-12-2024, passed in Cr. Misc. No. 86774 of 2024.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the rival submissions made by the learned counsel for the parties, let the petitioner above-named, in the event of his arrest or 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.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Sonpur P.S. Case No. 854 of 2024, subject to the conditions as laid down under Section 482 (2) of the BNSS, 2023.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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