

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31355 of 2025

Arising Out of PS. Case No.-161 Year-2025 Thana- SONEPUR District- Saran

1. Ramchandra Rai son of Ganinath Rai village - Paramanandpur Abdulhi, P. S - Sonpur, District - Saran
2. Sheochandra Rai @ Shivchandra Kumar son of Ganinath Rai village - Paramanandpur Abdulhi, P. S - Sonpur, District - Saran
3. Golu Kumar son of Suresh Rai village - Paramanandpur Abdulhi, P. S - Sonpur, District - Saran
4. Mukesh Kumar son of Devan Rai village - Paramanandpur Abdulhi, P. S - Sonpur, District - Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

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

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 15-05-2025 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners are apprehending their arrest in connection with Sonpur P.S. Case No. 161 of 2025, dated 23.02.2025, lodged under Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per the prosecution, FIR has been lodged against twenty named accused persons including the present petitioners. Total recovery of 225 liters of illicit liquor has been made from village Parmanandpur Abdulahi Diara, which is the subject



matter of the present case.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence. He submits that the petitioners have got no concern with the seized liquor and only on the basis of suspicion, their name has come. Counsel submits that petitioners are not present at the place of occurrence.

5. Learned APP for the State opposes the prayer for bail of the petitioners and submits that petitioner Nos. 1, 2 and 4 have no criminal antecedent, whereas antecedent of petitioner No. 3 namely, Golu Kumar is not clean as there is one case pending against him, which is registered under the Excise Act and this aspect must be taken into consideration.

6. As such, in the present facts and circumstances of this case, let petitioner Nos. 1, 2 and 4 namely, **Ramchandra Rai, Sheochandra Rai and Mukesh Kumar** respectively be released on anticipatory bail, in the event of arrest or surrender before the Trial Court within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) each as mentioned in Section 2(1)(d) of the BNSS, 2023 to the satisfaction of learned Court of 2nd Exclusive Special Excise Judge, Saran at Chapra in connection with Sonapur P.S. Case



No. 161 of 2025, subject to the conditions as laid down U/s 482(2) of the BNSS, 2023.

7. So far as bail application of petitioner No. 3 namely, **Golu Kumar** is concerned, this Court is not inclined to grant bail to him. Accordingly, anticipatory bail of petitioner No. 3 is hereby rejected.

(Dr. Anshuman, J)

Sudhanshu/-

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