

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33615 of 2025

Arising Out of PS. Case No.-81 Year-2025 Thana- CHAKIA District- East Champaran

Sonu Kumar S/O Lalan Rai @ Lalan Ray R/O Vill.- Shitalpur Baradih, P.s.-
Chakia, Dist.- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

Mr. Hemant Ray, Advocate

For the Opposite Party/s : Mr. Dr.Mrityunjaya Kr.Gautam, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 28-05-2025 Heard the learned counsel for the petitioner and the
learned Additional Public Prosecutor for the State.

2. The petitioner seeks regular bail in connection with
Chakia P.S. Case No. 81 of 2025, registered for the offences
punishable under Section 30(a) of the Bihar Prohibition and
Excise Act, 2016. Petitioner has clean antecedent.

3. As per the prosecution case, on the basis of secret
information, the police reached the hut of the petitioner and on
search total 240 liters of country-made liquor and 150 liters of
raw wine was recovered and then destroyed.

4. The learned counsel for the petitioner submits that
petitioner is innocent and has falsely been implicated in this
case. He further submits that the petitioner was not found at the



place of occurrence and also not apprehended at the place of recovery. It has further been submitted that no incriminating article was recovered from the conscious possession of the petitioner and the recovery is admittedly made from a hut which is in an abundant condition, accessible to people in general. It has lastly been submitted that the petitioner has clean antecedent and he is in custody since 23.03.2025.

5. The learned A.P.P. for the State has opposed the prayer for bail.

6. Considering the aforesaid submissions made by the respective parties and taking into account that the petitioner is having clean antecedent, I am inclined to grant the petitioner privilege of regular bail.

7. Accordingly, the prayer for bail is allowed.

8. Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the court of learned Exclusive Special Excise Court No.-3, Motihari, East Champaran, in connection with Chakia P.S. Case No. 81 of 2025, subject to the following conditions:-

(i) One of the bailors of the petitioner shall be his close relative.



(ii) The petitioner shall remain physically present in Court on each date of the trial.

(iii) In case of absence on two 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.

(iv) If the petitioner is found involved in similar nature of offence in future, the prosecution shall be at liberty to move for cancellation of his bail bond.

(v) The learned Court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Sourendra Pandey, J)

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