

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40375 of 2025**

Arising Out of PS. Case No.-79 Year-2025 Thana- NAYAGAON District- Saran

Sonu Rai @ Sonu Kumar S/O Late Babu Lal Ray R/o Mahmudchak, P.S.-
Nayagaon, District- Saran

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Kumar Singh, Advocate

For the Opposite Party/s : Mr.Md. Iftekhar Mahmood, APP

**CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER**

2 04-07-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Nayagaon P.S. Case no. 79 of 2025 instituted for the offence under Sections 30 (a) of the Bihar Excise Act.

3. The case of the prosecution is that altogether 120 liters was recovered from the '*jungle*'. It is further alleged that three co-accused persons were apprehended, who named this petitioner.

4. Learned counsel for the petitioner has submitted that petitioner is innocent and has falsely been implicated in connection with the present case. It is further submitted that nothing has been recovered from the physical possession of the



petitioner rather the same has been recovered from an open place. Further submission is that name of the petitioner has surfaced on the basis of the confession statement of the co-accused persons. Petitioner is an man of clean antecedent.

5. Learned APP appearing for the State opposed the prayer of bail of the petitioner.

6. Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Nayagaon P.S. Case no. 79 of 2025, he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned 2nd Exclusive Special Excise Judge, Saran at Chapra, subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Ashok Kumar Pandey, J)

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