

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46534 of 2025

Arising Out of PS. Case No.-323 Year-2024 Thana- ATHMALGOLA District- Patna

Sudhir Rai @ Sudheer Ray S/o Moti Rai @ Moti Ray Resident of village -
Budhara, PS- Athmalgola, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Arvind Kumar Pradhan, Advocate
For the State	:	Mr. Kumar Veerendra Narayan, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 22-08-2025 Heard learned counsel appearing on behalf of the
petitioner and learned A.P.P. appearing on behalf of the State.

2. The petitioner seeks bail in a case registered for the
offence punishable under Section 30(a) of the Bihar Prohibition
and Excise Act.

3. As per prosecution case, 588 litres illicit country
made liquor was recovered from the seized pickup vehicle of
which this petitioner is registered owner.

4. It is submitted by learned counsel for the petitioner
that petitioner is quite innocent and has committed no offence.
No incriminating article has been recovered from conscious
possession of this petitioner and has been made an accused in
this case merely because he happens to be owner of the vehicle
in question. It is further submitted that without the knowledge



and consent of this petitioner, the illicit spirit was being transported in this vehicle. Moreover, charge-sheet has already been submitted. Petitioner has got no criminal antecedents and he is in custody since 21.04.2025.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the nature of accusation, the fact that no incriminating article has been recovered from conscious possession of this petitioner, clean antecedents and period of custody, the prayer for grant of bail to the petitioner is allowed.

7. Accordingly, let the above named petitioner be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court, Barh (Patna) in connection with Athmalgola P.S. Case No. 323 of 2024.

(Prabhat Kumar Singh, J)

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