

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.46295 of 2025**

Arising Out of PS. Case No.-170 Year-2025 Thana- SONBERSA District- Sitamarhi

Rupesh Kumar Son of Madan Ray R/O Vill- Darbar Lalbandi, Ward No.-4,  
P.S.- Sonebarsa, District- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

|                          |   |                                                                     |
|--------------------------|---|---------------------------------------------------------------------|
| For the Petitioner/s     | : | Mr. Pushpendra Kumar Singh, Advocate<br>Smt. Divya Bharti, Advocate |
| For the Opposite Party/s | : | Mr. Shyam Kumar Singh, APP                                          |

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

ORAL ORDER

2      21-07-2025                      Heard learned counsel for the petitioner and learned  
APP for the State.

2. The petitioner seeks bail in connection with  
Sonebarsa P.S. Case No. 170 of 2025, instituted for the offences  
punishable under Section 30(a) of the Bihar Prohibition and  
Excise Act.

3. The prosecution case, in short, is that, 782 liters  
liquor was recovered from Scorpio car and motorcycle.

4. Learned counsel for the petitioner submits that the  
petitioner is innocent and has falsely been implicated in the  
present case. No incriminating material has been recovered from  
the conscious possession of the petitioner. The petitioner has got  
no concern with the alleged recovery of liquor. Learned counsel



for the petitioner also submits that the petitioner was not present at the place of occurrence. Name of the petitioner has transpired in this case on the basis of disclosure made by local chowkidar. It is further submitted that the petitioner is neither driver nor owner of the vehicles in question. The petitioner is in custody since 16.06.2025 and has got no criminal antecedent. There is no compliance of Section 103 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

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

6. Considering the aforesaid facts and circumstances of the case and the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Sonebarsa P.S. Case No. 170 of 2025.

**(Rudra Prakash Mishra, J)**

Rajorshi/-

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