

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51137 of 2025

Arising out of PS. Case No.-272 Year-2025 Thana- DUMRA District- Sitamarhi

Sonu Kumar Singh @ Sone Kumar Singh, S/o Ram Ayodhya Singh, Resident
of Village- Gosaipur, Ward No.6, P.S.- Dumra, Dist- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Jha, Advocate
For the State : Mr. Anish Chandra, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 11-08-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the state.

2. The petitioner is apprehending his arrest in a case
instituted for the offences under Sections 30(a) of Bihar Prohibi-
tion and Excise Act. He has no criminal antecedent.

3. As per the prosecution case, the police received an
information that the petitioner along with his wife and six others
were involved in sale of liquor at their doors, a raid was con-
ducted and one person was apprehended who disclosed her
name as Sadhana Kumari and on search total 27.775 litres of
foreign liquor was recovered from the container which was used
to feed cattle.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in this



case. It is further submitted by learned counsel for the petitioner that the recovery has admittedly been made from open space and the allegation against the petitioner was concocted at the behest of co-villager. It is next submitted by learned counsel for the petitioner that the petitioner was not found at the place of occurrence and the petitioner has clean antecedent.

5. Learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid submissions of learned counsel and taking into account the fact that the petitioner has no criminal antecedent, the petitioner, above named, is directed to be released on anticipatory bail, in the event of arrest or surrender before the Court below within a period of four weeks from today, on furnishing bail-bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge, Excise Court No.-1, Sitamarhi in connection with Dumra P.S. Case No. 272 of 2025, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure read with corresponding Section 482(2) of BNSS as well as subject to the following conditions:-

(i) One of the bailors will be a



close relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the Court below, if so required by the learned Trial Court.

(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 canceled by the Court concerned.

(iv) And further condition that the 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 the same or in the name of verification.

(v) If the petitioner is found to be engaged in any other incident of similar nature the prosecution shall be at liberty to approach



the learned Court below for cancellation of bail
of the petitioner.

7. It is made clear that the observations, if any, made
in this order, shall be of no bearing during the trial.

(Sourendra Pandey, J)

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