

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52694 of 2025

Arising Out of PS. Case No.-579 Year-2019 Thana- BARH District- Patna

Sahdev Rai S/o Late Singeshwar Rai R/o Vill- Pachhiyari Malahi, P.S.- Barh,
Distt- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rakesh Bihari Singh, Advocate
For the Opposite Party/s : Dr. Ajeet Kumar, APP

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

ORAL ORDER

2 11-08-2025 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in connection with
Barh PS Case No. 579 of 2019 instituted for the offences
under Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total 250
litres of country made liquor out of which 215 litres of
liquor was recovered from the Hut of Rudal Rai and 35
litres of liquor was recovered from Hut of Kamlesh Rai.

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. It is submitted that both the place of recoveries do not belong to the petitioner. It is further submitted that the local chowkidar disclosed the name of the petitioner. The petitioner is in custody since 06.06.2025 and has got five criminal antecedents in which he is on bail. There is no compliance of Section 103 of B.N.S.S.

5. Learned A.P.P. 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, *after framing of charge if not already framed* on furnishing bail bonds of Rs.15,000/- (Rupees Fifteen thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Barh PS Case No. 579 of 2019, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.



(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Raj Ranjan/-

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