

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55541 of 2025

Arising Out of PS. Case No.-128 Year-2025 Thana- SONEPUR District- Saran

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Pankaj Rai @ Pankaj Kumar Yadav, aged about 30 years (M), S/o Dangar Rai
@ Deonath Rai, R/o village - Parmanandpur Abdulhi, P.S- Sonapur , District -
Saran

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : M/S. Ravi Prakash and Udeshya Kumar Yadav,
Advocates

For the Opposite Party : Mr. Parmanand Kumar, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 12-09-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner is apprehending his arrest in connection with Sonapur P.S. Case No. 128 of 2025 dated 16.02.2025 registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2022.

3. As per the prosecution case, total 265 litres of illicit country made liquor was recovered from the Diyara Area on the bank of river which was hidden under the pit of the sand.

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



this case. The petitioner was not arrested on the spot. It is submitted that no incriminating article has been recovered from the possession of the petitioner. The name of the petitioner has surfaced in the present case only on the basis of disclosure made by the Mahal Chaukidar. It is further submitted that except the disclosure made by the Mahal Chaukidar, there is nothing on record to suggest the implication of the petitioner in the present case. The petitioner has no concern with the seized illicit liquor. There is no statutory compliance of Sections 103 and 105 of the B.N.S.S., 2023. It is further submitted that the other co-accused person, namely, Lal Mohan Rai @ Lal Mohan Kumar has already been granted anticipatory bail by a Bench of this Court in Cr. Misc. No. 25471 of 2025 vide order dated 18.07.2025. The petitioner has clean antecedent as stated in paragraph no. 3 of the bail petition.

5. Learned A.P.P. for the State has vehemently opposed the anticipatory bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the nature of allegation against the petitioner, the petitioner, above named, in the event of his arrest or surrender within a period of six weeks from today, is directed to be enlarged on anticipatory bail on furnishing bail bond of



Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned 2nd Exclusive Special Excise Court, Saran at Chapra in connection with Sonepur P.S. Case No. 128 of 2025, subject to the conditions as laid down under Section 482(2) of the B.N.S.S., 2023.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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