

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56394 of 2025

Arising Out of PS. Case No.-523 Year-2018 Thana- SONEPUR District- Saran

Dilip Rai S/o Chandeshwar Rai @ Chandeshwar Ray R/o Village- Sabalpur
Chaharam, P.S - Sonapur, District- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjan Kumar, Advocate

For the Opposite Party/s : Mr. Ahmad Ali, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 11-08-2025 Heard Mr. Ranjan Kumar, learned counsel for the

petitioner and Mr. Ahmad Ali, learned Additional Public

Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
25.06.2025 in connection with Sonapur P.S. Case No. 523 of
2018, F.I.R. dated 02.06.2018 for the offences punishable under
Section 30(a) (d) of the Bihar Prohibition and Excise Act, 2016.

3. Recovery is of 20 liters of country made liquor.

4. Learned counsel for the petitioner submits that
petitioner is innocent and he has falsely been implicated in the
present case. He further submits that the allegation as alleged in
the F.I.R. is false and fabricated and the petitioner has not
committed any offences as alleged in the F.I.R. He further
submits that it appears from the F.I.R. as well as seizure list that



nothing has been recovered from the conscious possession of the petitioner rather the recovery has been made from bank of the Ganga river. He further submits that the petitioner has no concern at all with the alleged recovery of the illicit liquor and his name has been transpired on the basis of the disclosure made by the local chowkidar/spy. Similarly situated co-accused, namely, Satyendra Kumar Ray 2 Satyendra Ray @ Dhaka Gop has been granted anticipatory bail by this Court vide order dated 18.11.2022 passed in Cr. Misc. No. 45936 of 2022. The petitioner is in custody since 25.06.2025.

5 Learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner and submits that the petitioner carries four criminal antecedents other than the present one but fairly submits on the basis of paragraph 3 of the bail petition that the petitioner is on bail in one case out of above mentioned four cases.

6. Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned 2nd Exclusive Special Excise Judge, Saran at Chapra in connection with Sonapur P.S. Case No. 523 of 2018, subject to the



following conditions:-

i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. 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 or in the name of verification.

(Rajesh Kumar Verma, J)

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