

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60176 of 2025

Arising Out of PS. Case No.-321 Year-2022 Thana- BARH District- Patna

Sahdeo Ray @ Sahdev Rai, (Male), aged about 51 years, S/o Late Singeshwar Ray @ Late Singheshwar, R/o Village- West Malahi, and P.S.- Barh, District- Patna

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Manoj Kumar Pandey, Advocate
For the Opposite Party : Mr. Parmanand Prasad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 11-09-2025 Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. The petitioner seeks bail in connection with Barh P.S. Case No. 321 of 2022 dated 29.05.2022 registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

3. As per the prosecution case, total 520 litres of illicit country made liquor and packing machine were recovered from the Ganga Diyara which is situated in front of the village- Pachimi Malahi.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. It is submitted that the petitioner was not apprehended



on the spot. The name of the petitioner has surfaced in the present case on the basis of the confessional statement of the apprehended co-accused persons, namely, Jagdish Sahani @ Ghana and Ranjeet Sahani. There is no specific allegation against the petitioner. There is general and omnibus allegation against the petitioner and the other co-accused persons. No incriminating article has been recovered from the possession of the petitioner. The petitioner has no concern with the alleged offence. The petitioner has neither concern with the place of occurrence from where the alleged illicit liquor was recovered nor he has any concern with the seized illicit liquor nor he has any connection with the apprehended co-accused persons, namely, Jagdish Sahani @ Ghana and Ranjeet Sahani. It is further submitted that the other co-accused persons, namely, Ranjeet Sahani in Cr. Misc. No. 40173 of 2022 vide order dated 23.09.2022, Binod Ray @ Vinod Ray in Cr. Misc. No. 46830 of 2022 vide order dated 21.10.2022, Pramod Rai in Cr. Misc. No. 5469 of 2023 vide order dated 05.05.2023 and Jagdish Sahani @ Ghana @ Jagdish Mahto have already been granted bail by another Co-ordinate Bench as well as by a Bench of this Court, annexed as Annexure- P/3 to the present bail application. The petitioner has five criminal antecedents and in two cases, he is



on bail as stated in paragraph no. 3 of the bail petition. The petitioner is in custody in this case since 26.05.2025.

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

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner, above named, is directed to be enlarged on 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 Special Judge, Excise, Barh, Patna in connection with Barh P.S. Case No. 321 of 2022 with further condition:-

(I) The petitioner is directed to remain physically present before the learned court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bonds of the petitioner are liable to be cancelled.

7. The application stands allowed.

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(Chandra Prakash Singh, J)

