

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59950 of 2025

Arising Out of PS. Case No.-385 Year-2024 Thana- SONBERSA District- Sitamarhi

Saroj Kumar @ Saroj Dubey S/o- Late Baccha Dubey Resident of village-
Rajwada PS- Sonbarsa District- Sitamarhi

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner	:	Mr. Ayush Kumar, Advocate
For the State	:	Mr. Meena Singh, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 23-09-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail, apprehending his arrest, in connection with Sonbarsa P.S. Case No.385 of 2024, dated- 02.12.2024, registered for the offences punishable under Sections 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2022.

3. As per allegation, 327.9 liter of illicit liquor has been recovered from three e-rickshaws along with arrest of two persons and as per the confessional statement of the co-accused arrested on the spot, the Petitioner was involved in the trade or illicit liquor.

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



case. He further submits that there is no legal material available on record which could connect the Petitioner to the alleged offence except the confessional statement of the co-accused before the police, which has no evidentiary value. He also submits that no *prima facie* case is made out against the petitioner and his anticipatory bail petition is maintainable.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the bail petition that the petitioner has no criminal antecedents.

7. However, learned APP for the State vehemently opposes the prayer of the Petitioner for bail.

8. Considering the aforesaid facts and circumstances, **this petition is allowed**, directing the petitioner, above-named, to be enlarged on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned concerned Court below, in connection with Sonbarsa P.S. Case No.385 of 2024, subject to the



conditions as laid down under Section 482 (2) of the B.N.S.S., 2023 and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioner has any criminal antecedents, learned court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, learned court below shall cancel the bail bonds of the petitioner.

(Jitendra Kumar, J.)

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