

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62312 of 2025

Arising Out of PS. Case No.-899 Year-2022 Thana- SONEPUR District- Saran

Subham Kumar @ Nepali Rai @ Nepali Kumar @ Nepali @ Rajesh Kumar
S/o Umesh Ray @ Umesh Kumar Yadav R/o Village - Pahleja (Sahpur
Diyara), P.O - Sonepur, P.S - Sonepur, District - Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rakesh Kumar Sharma, Advocate

For the Opposite Party/s : Mrs.Shaheen Begum, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 22-09-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. In the present case, the petitioner seeks bail in connection with Sonepur P.S. Case No. 899 of 2022 registered on 25.11.2022 for the offences under Sections 30(a) and 41(i) of the Bihar Prohibition and Excise Act.

3. As per prosecution case, police received information about petitioner and other co-accused transporting illicit liquor on a motorcycle. Two persons fled away from the spot on seeing the police party and recovery of 80 litres of country made liquor was made from a tube being carried on the said motorcycle. The persons nearby disclosed the name of the petitioner who fled away from the spot.

4. Learned counsel appearing on behalf of the



petitioner submits that the petitioner is innocent and has been falsely implicated in this case. Nothing incriminating has been recovered from the person or possession of this petitioner and he was not apprehended from the spot. The motorcycle, which was seized by the police, does not belong to this petitioner. Petitioner has no concern with the seized liquor. Petitioner is having antecedent of 3 cases and he is on bail in all these cases. Petitioner is in custody since 02.08.2025.

5. Learned A.P.P. opposes the submission made on behalf of the petitioner.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the fact that petitioner was not apprehended from the spot and no recovery has been shown from his conscious possession and also considering the period of custody of the petitioner, the petitioner above named is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned 2nd Exclusive Special Excise Judge, Saran at Chapra/concerned court in connection with Sonapur P.S. Case No. 899 of 2022, subject to the conditions mentioned in Section 480(3) of the B.N.S.S. and other following conditions:



- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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