

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.62130 of 2025**

Arising Out of PS. Case No.-520 Year-2025 Thana- SONEPUR District- Saran

1. Phiti Rai @ Shesh Nath Rai @ Fitti Ray @ Fitilal Ray S/o- Supan Ray @ Supan Prasad Ray R/o- Sabalpur Hasti Tola PS- Sonpur Dist- Saran
2. Dilip Rai @ Dilip Kumar S/o- Mahavir Ray R/o- Sabalpur Hasti Tola PS- Sonpur Dist- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Ganesh Prasad Singh, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA**

ORAL ORDER

2      30-08-2025              Heard learned counsel for the petitioners and learned APP for the State.

2.      The petitioners seek bail in connection with Sonpur PS Case No. 520 of 2025 instituted for the offences under Section 30(a) of the Bihar Prohibition and Excise Act.

3.      The prosecution case, in short, is that 1656.7 liters foreign liquor was recovered from two trucks and one car.

4.      Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in the present case. No incriminating material has been recovered from the conscious possession of the petitioners. The petitioners have got no concern with the alleged recovery of liquor. It is



submitted that recovery is made from two trucks and a car, of which petitioner has no concern. The petitioners are in custody since 06-08-2025 and petitioner No.1 has got six criminal antecedents, whereas petitioner No. 2 bears four criminal antecedents. There is no compliance of Section 103 of the BNSS, 2023. Other co-accused has been granted bail by this Court vide order dated 08-08-2025, passed in Cr. Misc. No. 54276 of 2025.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioners.

6. Considering the aforesaid facts and circumstances of the case and the period of custody undergone by the petitioners, this Court is inclined to grant bail to the petitioners.

7. Let the petitioners be released on bail, ***after framing of charge, if not already framed***, on furnishing bail bonds of Rs.15,000/- (Fifteen thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Sonpur PS Case No. 520 of 2025, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioners.

(II) The petitioners shall appear on each and every date



fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioners.

**(Rudra Prakash Mishra, J)**

Raj Kishore/-

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