

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62147 of 2025**

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

- =====
1. SUNNI KUMAR S/O RAMESH RAY R/o vill - Sabalpur Mahikinara, P.S.-
Sonpur, Distt.- Saran at Chapra
 2. Rakesh Kumar S/o Ramesh Ray R/o vill - Sabalpur Mahikinara, P.S.-
Sonpur, Distt.- Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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with

CRIMINAL MISCELLANEOUS No. 64647 of 2025

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

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LAL MOHAN RAY @ LALMOHAN RAY S/O DIPAK RAY R/o vill - Sabalpur
Mahikinara, P.S.- Sonpur, Distt.- Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

(In CRIMINAL MISCELLANEOUS No. 62147 of 2025)

For the Petitioner/s : Mr.Tribhuwan Narayan

For the Opposite Party/s : Mr.Shyam Kumar Singh

(In CRIMINAL MISCELLANEOUS No. 64647 of 2025)

For the Petitioner/s : Mr.Tribhuwan Narayan

For the Opposite Party/s : Mr.Shyam Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA

ORAL ORDER

2 24-09-2025

Heard learned counsel for the petitioners and the

learned Additional Public Prosecutor for the State.

2. These applications for grant of anticipatory bail



arise out of Sonpur P.S. Case No. 520 of 2025 dated 27.06.2025, disclosing offence under Section 30(a) of the Bihar Prohibition and Excise Act (hereinafter referred to as 'the Act').

3. According to the prosecution case, 1656.7 liters of illicit liquor has been recovered from the several commercial vehicles.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have not committed any offence. He further submits that the name of the petitioners have been dragged in this case on the basis of statement of co-accused, Mithilesh Kumar, who has been nabbed by the police from the spot. He further submits that according to the seizure list, it is apparent that the alleged recovery of liquor is made from the several commercial vehicles and neither the petitioners happen to be owner of the vehicles in question nor they have any concern with the alleged recovery of illicit liquor. He further submits that similarly situated co-accused persons have already been granted anticipatory bail by different co-ordinate Benches of this Court vide orders dated 28.07.2025 and 31.07.2025 passed in Cr. Misc. No.54276 of 2025 and Cr. Misc. No. 56570 of



2025, respectively.

5. Learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioners and submits that the petitioner, Sunny Kumar is having one more case of similar nature and the petitioner, Rakesh Kumar, is having two more cases of similar nature other than the present one. As regards, petitioner Lal Mohan Ray is concerned, he is having three more cases of similar nature other than the present one.

6. Regard being had to the submission made by the parties and taking into consideration the fact that the alleged recovery of illicit liquor has been made from the commercial vehicles and the petitioners are neither the owner of the vehicle nor the consignment thereon as also similarly situated co-accused persons have been granted anticipatory bail by different co-ordinate Benches of this Court, I am inclined to grant the privilege of anticipatory bail to the petitioner.

7. These applications are, accordingly, allowed.

8. Let the petitioners, above named, in the event of their arrest or surrender before the court below within four weeks, be released on bail on furnishing bail bond of Rs.



10,000/- (ten thousand) each 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 Sonpur P.S. Case No. 520 of 2025, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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