

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64246 of 2025

Arising Out of PS. Case No.-523 Year-2018 Thana- SONEPUR District- Saran

Deepak Rai, Son of Chandeshwar Rai, Resident of village - Sabalpur,
Chaharam, P.S. Sonapur, District - Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amresh Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Bharat Lal, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 24-09-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. In the present case, the petitioner seeks bail in connection with Sonapur P.S. Case No. 523 of 2018 registered for the alleged offence under Section 30(a)(d) of the Bihar Prohibition & Excise Act.

3. As per prosecution case, in a drive against manufacturing of illicit liquor, a raid was conducted on the banks of river Ganga. A number of *bhattis* for manufacturing of illicit liquor were found running there. The miscreants manufacturing the illicit liquor fled away from the spot and raw material and equipment used in the manufacturing of liquor was destroyed. Recovery of 20 liters of country made liquor was made from the spot. The name of the petitioner along with other



co-accused persons transpired in the statement of informer and the person assembled.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. The petitioner was not apprehended from the spot and nothing incriminating has been recovered from the person or possession of the petitioner. The petitioner has been made accused in this case merely on suspicion and on saying of person inimical to the petitioner. Moreover, the recovery has been made from an open place accessible to all. The petitioner has no concern with the seized liquor. The petitioner is in custody since 19.08.2025 and is having antecedent of eight cases.

5. Learned APP for the State 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 the petitioner was not apprehended from the spot and no recovery has been shown from him and further 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/- (ten thousand) with two sureties of the like



amount each to the satisfaction of learned 2nd Exclusive Special Excise Judge, Saran at Chapra/court concerned in connection with Sonapur P.S. Case No. 523 of 2018, subject to the conditions mentioned in Section 480(3) of BNSS and the 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.

V.K.Pandey/-

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(Arun Kumar Jha, J)

