

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66150 of 2025

Arising Out of PS. Case No.-114 Year-2025 Thana- SONEPUR District- Saran

Mithilesh Rai @ Mithlesh Kumar Rai Son of Ram Pravesh Ray 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.Ganesh Prasad Singh, Advocate

For the Opposite Party/s : Mr.Kalyan Shankar, APP

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

ORAL ORDER

2 12-09-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in Sonapur P.S. case No. 114 of 2025 instituted for the offences under Section 30(a) of the Bihar Prohibition and Excise Act. Earlier, the petitioner was granted anticipatory bail vide order dated 30.04.2025 passed in Cr. Misc. No. 23277 of 2025 by a Coordinate Bench of this Court with a direction to the court below to verify the criminal antecedents and if any other case found pending against the petitioner, the said order would lose its force. After verification of the criminal antecedents, the Court below found one more case pending against the petitioner and thus said order lost its force.



3. The prosecution case, in short, is that 153 liters liquor along with one gas stove and one small gas were recovered from one shop (*gumti*).

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. No incriminating material has been recovered from the conscious possession of the petitioner. The petitioner has got no concern with the alleged recovery of liquor. It is further submitted that the recovery is made from the shop of co-accused namely Sudhir Kumar. The petitioner has got no concern with the place of recovery. The petitioner is in custody since 26.08.2025 and has got two criminal antecedents. There is no compliance of Section 103 of B.N.S.S., 2023. Co-accused has been granted bail by this Bench vide order dated 24.03.2025 passed in Cr. Misc. No. 17755 of 2025.

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

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

7. Let the petitioner be released on bail on furnishing bail bonds of Rs.15,000/- (Fifteen thousand) with two sureties



of the like amount each to the satisfaction of Court
below/concerned Court in connection with Sonepur P.S. case
No. 114 of 2025.

(Rudra Prakash Mishra, J)

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