

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66200 of 2025

Arising Out of PS. Case No.-245 Year-2019 Thana- SONEPUR District- Saran

Dilip Rai @ Dilip Kumar @ Suraj S/O Mahavir Rai R/O Vill.- Sabalpur Hasti
Tola, P.S.- Sonapur, 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.Kalyan Shankar, 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. 245 of 2019 registered for the alleged offences under Section 30(a) of Bihar Prohibition and Excise Act.

3. As per prosecution case, police received secret information about petitioner and other co-accused persons storing huge quantity of illicit liquor in the house of co-accused Supan Rai. A raid was conducted on the house of co-accused and recovery of 1360.200 litres of foreign liquor was made from the house of co-accused Supan Rai.

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 of possession of the petitioner. There is no independent witness to search and seizure. There is gross violation of mandatory provision of Section 100 Cr.P.C. Learned counsel further submits that prior to lodging of the present case, the petitioner was having clean antecedent but thereafter he has been made accused in four cases and he is on bail in three cases except one. The petitioner is in custody 06.08.2025.

5. Learned APP 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 his conscious possession, 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 Exclusive Special Excise Judge-2, Saran at Chapra/concerned Court in connection with Sonepur P.S. Case No. 245 of 2019, subject to the conditions mentioned in Section 480(3) of



B.N.S.S. and also 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.

(Arun Kumar Jha, J)

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