

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72720 of 2025

Arising Out of PS. Case No.-162 Year-2025 Thana- SONEPUR District- Saran

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1. Pappu Kumar @ Pappu Rai Son of Krishna Ray, R/o Village - Baburbani, P.S. - Sonapur, District - Saran at Chapra.
 2. Pintu Kumar @ Pintu Rai Son of Krishna Ray, R/o Village - Baburbani, P.S. - Sonapur, District - Saran at Chapra.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dewendra Narayan Singh, Advocate.

For the Opposite Party/s : Mr. Bishweshwar Ram, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

3 14-11-2025 Heard learned counsel for the petitioners and learned
APP for the State.

2. Petitioners seek regular bail in connection with Sonapur P.S. Case No.162 of 2025 registered for the alleged offences registered under Section 30(a) of the Bihar Prohibition & Excise Act, 2016.

3. As per prosecution case, on a secret information about the petitioners that they were involved in manufacturing country made liquor. Police conducted raid and on search, 175 liters of country made liquor was recovered from the place of occurrence i.e. Diyara area. It is alleged that the petitioners were fled away after seeing the police.

4. Learned counsel for the petitioners submits that the



petitioners are innocent and have been falsely implicated in this case due to local politics and criminal antecedents. He further submits that petitioners were not apprehended from the spot and no incriminating article has been recovered from the conscious or constructive possession of the petitioners. Learned counsel submits that the petitioners have been named in this case merely on saying of local *chowkidar* and except this, there is no material against the petitioners to show their complicity in the alleged offence. He further submits that recovery has been made from an open place which is accessible to public at large. Learned counsel submits that similarly situated co-accused persons have been granted regular bail by this Court *vide* order dated 25.09.2025 passed in Cr. Misc. No.61165 of 2025. He further submits that petitioner no.1 has got seven criminal antecedents and petitioner no.2 has got four criminal antecedents. Learned counsel submits that the petitioners are in custody since 08.09.2025 and they undertake to cooperate in the investigation and trial of the case.

5. Learned APP for the State opposes the prayer for regular bail of the petitioners.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the fact that the petitioners were not apprehended from the spot and no recovery have been shown from their conscious possession and



further considering the period of custody of the petitioners, the petitioners above named are directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned 2nd Exclusive Special Excise Judge, Saran at Chapra/concerned Court in connection with Sonapur P.S. Case No.162 of 2025 with further following conditions:-

(i) The petitioners shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself.

(ii) The petitioners shall desist from committing any such criminal offence again, failing which the State shall be at liberty to take steps for cancellation of bail bonds.

(Sunil Dutta Mishra, J)

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