

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82523 of 2025

Arising Out of PS. Case No.-985 Year-2025 Thana- SONEPUR District- Saran

1. Mahesh Rai @ Mahesh Ray S/o Jaddu Rai @ Jaddu Ray Resident of Village - Pahleja Shahpur Diyara, P.S.-Sonepur, District-Saran
2. Rahul Kumar S/o Mahesh Rai @ Mahesh Ray Resident of Village - Pahleja Shahpur Diyara, P.S.-Sonepur, District-Saran
3. Sachin Kumar S/o Mahesh Rai @ Mahesh Ray Resident of Village - Pahleja Shahpur Diyara, P.S.-Sonepur, District-Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Singh No. I, Advocate
For the Opposite Party/s : Mr. Tapeshwar Sharma, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 03-12-2025 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail in connection with Sonepur P.S. Case No. 985 of 2025 instituted for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total 40 litres of liquor has been recovered from the house of the petitioners.

4. Learned counsel for the petitioners submitted that the petitioners have falsely been implicated in the present case. No incriminating article has been recovered from the conscious



possession of the petitioners rather the recovery has been made from the joint house of the petitioners where other family members also reside. The petitioner has got no concern with the alleged recovery of liquor. The petitioners are in custody since 02.10.2025. Petitioner no. 1 has two criminal antecedents whereas petitioner nos. 2 and 3 have no criminal antecedent. There is no compliance of Section 103 of the Bharatiya Nagarika Suraksha Sanhita, 2023.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioners.

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

7. Let the petitioners be released on bail on furnishing bail bonds of Rs. 15,000/- (Rupees Fifteen Thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Sonapur P.S. Case No. 985 of 2025, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two



consecutive dates, the Trial Court will have liberty to cancel the
bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Alok Verma/-

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