

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84586 of 2025

Arising Out of PS. Case No.-1004 Year-2025 Thana- SONEPUR District- Saran

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1. Lalbabu Rai S/o Nagina Rai @ Nagina Ray R/o - Sabalpur Newal Tola, P.S - Sonepur, District - Saran
 2. Biraj Kumar @ Brij Kumar S/o Jagdish Rai R/o - Sabalpur Newal Tola, P.S - Sonepur, District - Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dharendra Prasad Sinha, Advocate

For the Opposite Party/s : Mr. Arun Kumar Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA

ORAL ORDER

2 17-12-2025 Heard learned Counsel for the petitioners and learned
Additional Public Prosecutor for the State.

2. This application for grant of anticipatory bail, arises out of Sonepur Police Station Case No. 1004 of 2025, disclosing offence under Section 30(a) of Bihar Prohibition & Excise Act.

3. The prosecution case, as per the First Information Report, is that on 08.10.2025, police received secret information that 5-6 persons were selling country-made liquor near village Sabalpur nayka bazaar. Upon such information, police proceeded towards the place of occurrence but on seeing the police party, all miscreants started fleeing and succeeded in same taking advantage of Diyara region. Mahal Chaukidar disclosed the name of miscreants as Sudhir Rai, Lalbabu Rai



(petitioner no.1), Dharmendra Kumar, Pradeep Kumar, Akhilesh Kumar and Biaraj Kumar (petitioner no. 2). On search, total 225 litres of country-made liquor were recovered from the back side of Deepak Thakur's Saloon.

4. Learned Counsel for the petitioners submits that petitioners are innocent and have falsely been implicated in this case. The name of the petitioners have come on the discloser made by Mahal Chaukidar. Recovery has been made from the back side of Deepak Thakur's saloon which is an open space, accessible to all and sundry. Nothing has been recovered from the conscious possession and/or premises belonging to the petitioners.

5. Regards being had to the submissions made on behalf of the parties and taking into consideration the fact that recovery has been made from an open space which is accessible to all and sundry, nothing has been recovered from the conscious possession and/or premises belonging to the petitioner, I am inclined to grant the petitioners privilege of anticipatory bail.

6. This application is, accordingly, allowed.

7. Let the petitioners, above named, in the event of their arrest or surrender before the Court below within four



weeks, be released on bail on furnishing bail bond 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, in connection with Sonapur Police Station Case No. 1004 of 2025, subject to the condition laid down under Section 482 (2) of the B.N.S.S.

(Anil Kumar Sinha, J)

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