

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86959 of 2025

Arising Out of PS. Case No.-927 Year-2025 Thana- SONEPUR District- Saran

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Sanoj Rai @ Sanoj Kumar Rai S/o- Sheo Prasan Rai Resident of Village-
Chhitarchak (Near Devi Mandir), PS-Sonepur, Dist- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Nalin Kumar

For the Opposite Party/s : Mr.Bharat Lal

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 24-12-2025 1. Heard learned counsel for the petitioner and
learned APP for the State.
2. The petitioner seeks bail in anticipation of his
arrest in a case registered for the offences punishable under
Section 30(a) of the Excise Act.
3. The learned counsel for the petitioner submits that
the petitioner has antecedent of four cases and all the four cases
are under the Excise Act and allegation is of recovery of 33
litres of liquor from a car.
4. The learned counsel for the petitioner submits that
petitioner was not arrested from the spot, as such, nothing was
recovered from his conscious possession and is not the owner of
the seized vehicle and he came to be implicated at the instance
of Chaukidar and if Chaukidar was aware of the involvement of



the petitioners in the occurrence, then why he did not inform the police prior to institution of the present F.I.R., which casts an aspersion on the case of the prosecution. It is also submitted that It is next submitted that police in majority of cases implicating innocent persons either at the behest of Chaukidar, local person, secret information and confessional statement in a mechanical manner without holding proper investigation without holding a proper investigation.

5. Learned A.P.P. opposes the anticipatory bail application.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner, above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on provisional anticipatory bail on his furnishing bail-bonds in the sum of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the learned Trial Court where the case is pending/successor Court in connection with Sonapur P. S. Case No.927 of 2025, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

8. It is made clear that the learned trial Court after



accepting the provisional bail bonds of the petitioner shall verify the criminal antecedent of the petitioner and in the event, if it is found that petitioner has antecedent of more than four cases, then it would be presumed that petitioner for the purposes of obtaining anticipatory bail had concealed his antecedent before this Court, in that event, the present provisional anticipatory bail order shall not be confirmed, but if on verification, it is found that petitioner has antecedent of four cases, in that event, the provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

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