

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28358 of 2026

Arising Out of PS. Case No.-25 Year-2026 Thana- SONPUR RAIL P.S. District- Saran

Harkeshwar Rai @ Harkeshwar Ray @ Harkeshar Ray S/O Late Nageena Rai
@ Nagin Ray R/V - Sabalpur Chaharm, P.S- Sonpur, Dist - Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Nupur, Adv.

For the Opposite Party/s : Mr.Braj Kishore Pd., APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 05-05-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in connection with Rail (Sonpur) Case No. 25 of 2026 registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act.

3. The case of the prosecution, in short, is that while the petitioner was at platform number 2 of Sonpur Railway station, altogether 10.44 liters of illicit foreign liquor were recovered from his possession.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has been falsely implicated in this case. He also submits that nothing has been recovered from the



possession of the petitioner. The witnesses of seizure list are police personnel and the police has not complied with Section 105 of the BNSS while making the seizure. He further submits that a statement has been made in para 3 of the petition that petitioner has no criminal antecedent and he is languishing in judicial custody since 19.03.2026.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Court No. III, Saran at Chapra in connection with Sonpur Rail P.S. Case No. 25 of 2026.

(Ashok Kumar Pandey, J)

Sudhanshu/-

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