

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35535 of 2026

Arising Out of PS. Case No.-149 Year-2026 Thana- MASAUDHI District- Patna

Sonu Kumar Son of Rupchand Chaudhary Resident of Village- Taregnadih,
P.S.- Masaurhi, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binod Kumar Singh, Advocate
For the State : Ms. Shaheen Begum, APP

CORAM: HONOURABLE MR. JUSTICE RITESH KUMAR
ORAL ORDER

2 21-05-2026 Heard the learned counsel for the petitioner and the learned
Additional Public Prosecutor for the State.

2. The petitioner apprehends his arrest in connection with Masaurhi P.S. Case No. 149 of 2026, for allegedly having committed offence under Sections 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2022.

3. As per the prosecution story which has been lodged on the basis of the written report submitted by the informant to the effect that he got information that the petitioner and three other persons have brought foreign liquor in a black Scorpio having Registration No. BR01JA-9234 and which is standing on the Block Road. To verify the same, the informant along with the police party reached there and two persons were apprehended, while they were unloading the foreign liquor. Upon seeing the police party, two other persons fled away. From the Scorpio, 28.35 liters of foreign liquor was



recovered, for which a seizure list was also prepared.

4. Learned counsel appearing on behalf of the petitioner submits that the petitioner is innocent and has not committed any offence. The petitioner is neither the owner nor the driver of the vehicle and the illicit liquor which has been recovered from the Scorpio does not belongs to the petitioner. He further submits that the name of the petitioner has transpired in the present case only on the basis of the confessional statement of the co-accused, who were taken into custody at the time of raid. He further submits that the petitioner is also an accused in Masaurhi P.S. Case No. 420 of 2025 under the Excise Act.

5. Per contra, the learned APP for the State opposes the prayer for bail of the petitioner and submits that the petitioner has got an antecedent of similar nature and there is every chance that if he will be granted anticipatory bail, he will again indulge in the same activity.

6. Having heard the learned counsel for the parties and after going through the records, it appears that the alleged liquor has been seized from a vehicle, which does not belong to the petitioner. The petitioner was not arrested at the place of the occurrence and nothing has been recovered from him. The petitioner has got one criminal antecedent of similar nature.

7. Considering the facts aforesaid, let the petitioner, above named, in the event of his arrest or surrender within a period of six



weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Patna in connection with Masaurhi P.S. Case No. 149 of 2026, subject to the conditions as laid down under Section 482(2) of the B.N.S.S., with a further condition that :-

The learned court concerned shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court concerned shall take steps for cancellation of bail bond of the petitioner. However, the acceptance of bail bond in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Ritesh Kumar, J)

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