

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40038 of 2026

Arising Out of PS. Case No.-200 Year-2026 Thana- GARKHA District- Saran

Sonu Kumar S/o Siyashankar Ray R/o Village- Kashina, PS- Garkha, Distt.- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nalin Kumar, Advocate

For the Opposite Party/s : Mr. Abhay Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 29-06-2026 Heard Mr. Nalin Kumar, learned counsel for the
petitioner and Mr. Abhay Kumar, learned APP for the State.

2. Petitioner seeks bail, who is in custody since 04.05.2026, in connection with Garkha P.S. Case No. 200 of 2026, F.I.R. dated 22.02.2026 registered for the offences punishable under Section 30(a) of the Bihar Prohibition & Excise Act, 2016.

3. Recovery is of 90.00 litres of illicit country made liquor.

4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in the present case. He further submits that it appears from the F.I.R. as well as seizure list that altogether 90.00 litres of illicit country made liquor was recovered from the place of occurrence and 500 litres illicit Pass was destroyed from the place of occurrence. He



further submits that it appears from the F.I.R. that the petitioner was not apprehended at the place of occurrence and he has been made accused in the present case on the basis that the petitioner was escaped from the place of occurrence. He further submits that the name of the petitioner has been transpired on the basis of disclosure made by local choukidar, and except the aforesaid nothing cogent material has come during investigation to suggest the involvement of the petitioner in the present occurrence. The petitioner is in custody since 04.05.2026.

5. The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner and submits that the petitioner carries one more case of similar nature other than the present one but fairly submits on the basis of paragraph-3 of the bail petition that the petitioner is on bail in the pending matter.

6. Considering the facts and circumstances of the case and the fact that nothing has been recovered from the conscious possession of the petitioner and he has been made accused merely on the basis of disclosure made by local choukidar, let the petitioner, above named, 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 learned 1st Exclusive Special Excise Court, Saran (Chapra) in connection with Garkha



P.S. Case No. 200 of 2026, subject to the following conditions :-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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