

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39234 of 2026

Arising Out of PS. Case No.-325 Year-2026 Thana- DIGHA District- Patna

Sonu Kumar, S/O Hiralal Rai, R/O Kurji Gate No. 83, P.S.- Digha, Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Ranjan, Advocate.
For the State : Ms.Meena Singh, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 17-06-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail, apprehending his arrest, in connection with Digha P.S. Case No. 325 of 2026 dated 11.04.2026 registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per allegation, two motorcyclists were carrying 8.820 litres of illicit liquor in a bag and when the Police chased, one bag was thrown by the Motorcyclists. Out of them, one was successful in fleeing away whereas another was arrested on the spot and the illicit liquor was recovered from the bag thrown by the Motorcyclists.

4. Learned counsel for the petitioner submits that the Petitioner is innocent and has falsely been implicated in this



case. He further submits that petitioner has nothing to do with the alleged offence. He was not present on the place of the alleged occurrence. He has been implicated in this case only on account of so called confessional statement of co-accused before the Police which has no evidentiary value. He also submits that except the so-called confession of the co-accused there is no material against the petitioner and, hence, there is no *prima facie* case under the Excise Act made out against the petitioner.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the bail petition that the petitioner has no criminal antecedents.

7. However, learned APP for the State vehemently opposes the prayer of the Petitioner for bail.

8. Considering the aforesaid facts and circumstances, **this petition is allowed**, directing the petitioner, above-named, to be enlarged on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the



satisfaction of learned concerned court below in connection with Digha P.S. Case No. 325 of 2026 subject to the conditions as laid down under Section 482 (2) of the B.N.S.S 2023, and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioner has any criminal antecedent, learned court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, learned court below shall cancel the bail bonds of the petitioner.

(Jitendra Kumar, J)

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