

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49672 of 2026

Arising Out of PS. Case No.-302 Year-2026 Thana- Excise P.S. District- Rohtas

Bablu Sonkar S/o Mithai Sonkar @ Mithai Lal Sonkar R/o Mohalla -
Rameshwarganj, Chalaniya, ward no. 36, P.s. - Sasaram (Town), Distt.-
Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Babu Nandan Prasad, Adv.

For the Opposite Party/s : Mr. Rajendra Prasad Nat, APP.

CORAM: HONOURABLE MR. JUSTICE RAJ KUMAR
ORAL ORDER

2 22-07-2026 Heard the learned counsel for the petitioner as well as
the learned Additional Public Prosecutor for the State.

2. The petitioner is seeking regular bail in connection with Excise P.S. Case No. 302 of 2026, registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Amendment Act, 2018.

3. The prosecution case, in brief, is that acting on a secret information, the Excise officials conducted a raid at the house of the petitioner, Bablu Sonkar. It is alleged that during the search, 80 liters of illicit country-made liquor was recovered from the open courtyard of his house. The recovered liquor was seized. The petitioner was arrested at the spot.

4. The learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been



implicated in the present case. Nothing has been recovered from conscious possession of the petitioner. He has further submitted that the courtyard forms part of the joint family property and, therefore, the alleged recovery cannot be attributed to the petitioner. He has also submitted that the provisions of Section 103 of the BNSS has not been complied with. He has next submitted that the petitioner has been in judicial custody since 08.06.2026. He undertakes to cooperate with the investigation and trial as also, not to repeat the offence of similar nature.

5. On the other hand, the learned APP for the State has opposed the prayer for bail by submitting that the petitioner has one criminal antecedent in his credit.

6. Taking into account the entire facts and circumstances of the case, the petitioner above-named, is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge, Excise Court No. 1, Rohtas at Sasaram/concerned court in connection with Excise P.S. Case No. 302 of 2026, subject to the following conditions:-

(i) The petitioner shall cooperate in the disposal of trial.



(ii) One of the bailors must be close relatives of the petitioner such as mother, father, brother, sister or wife.

(iii) The petitioner will appear on each and every date fixed by the trial court and if, he fails to do so on two consecutive dates, unless he is prevented by extremely adverse circumstances, the learned court below will be at liberty to cancel the bail bond of the petitioner.

(iv) Before release, the learned court below shall verify the criminal antecedent of the petitioner and if he is found involved in any case other than the case as mentioned in para-3 of the bail petition, his bail bond will not be accepted.

(v) It is also made clear that there shall not be any delay in verifying the criminal antecedent of the petitioner.

(vi) If he repeats any offence of similar nature, his bail bond shall be liable to be cancelled immediately by the learned court below.

(Raj Kumar, J)

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