

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86557 of 2025

Arising Out of PS. Case No.-920 Year-2024 Thana- SONEPUR District- Saran

Lal Mohan Rai @ Lalmohan Rai S/o Rambadan Rai @ Badan Rai R/o Village
- Baburbani, P.S - Sonapur, District - Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dewendra Narayan Singh, Advocate

For the Opposite Party/s : Mr. Umeshanand Pandit, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 08-01-2026 Heard the learned counsel for the petitioner and

learned APP for the State.

2. Petitioner, who is in custody, seeks bail in connection with Sonapur P.S. Case No. 920 of 2024 registered for the offence(s) punishable under Section(s) 30(a) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, a total of 170 litres of country-made liquor, 1,000 litres of solution, four illegal liquor kilns, and certain raw materials were recovered from the banks of the river Ganga.

4. The learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case merely on account of the fact that he carries eleven



criminal cases against his name of similar nature. It is further submitted that the petitioner has been implicated by the police on mere suspicion, without any independent or substantive material connecting him with the alleged recovery. It is next submitted that similarly situated co-accused persons, namely, Shashi Rai, Dinesh Ray, and Brajesh Rai, have already been granted bail by this Hon'ble Court vide orders dated 21.03.2025 passed in Cr. Misc. No. 11213 of 2025, 24.07.2025 passed in Cr. Misc. No. 47861 of 2025, and 04.07.2025 passed in Cr. Misc. No. 27303 of 2025 respectively; copies of the said orders have been brought on record by way of Annexure-P/4 series and Annexure-P/5. The learned counsel further submits that although the petitioner is named in eleven criminal cases he is on bail in eight of them and in the present case he is in custody since 17.10.2025.

5. The petitioner is willing and undertakes to deposit a sum of Rs. 10,000/- in the account of Lawyers' Association Welfare Benevolent Fund, bearing Account No. 7801893276, IFSC Code: IDIB000L501, Indian Bank, LNMI Branch, Bailey Road, Patna.



6. The learned A.P.P. has vehemently opposed the prayer for bail.

7. Regard being had to the facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection Sonapur P.S. Case No. 920 of 2024, subject to the following conditions:-

(i) One of the bailors of the petitioner shall be his close relative and the other shall be the local resident.

(ii) The petitioner shall remain physically present in Court on each date of the trial.

(iii) In case of absence on two consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(iv) If the petitioner is found involved in similar nature of offence in future, the prosecution shall be at liberty to move for cancellation of his bail bond.

(v) The learned 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 antecedent, 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.

(vi) In view of the antecedents of the petitioner, the petitioner is directed to appear before the Superintendent of Police, Saran at Chapra within fifteen days of his release with a copy of this order and every two weeks thereafter for the next nine months. The conduct of the petitioner will be kept under watch in this period by the Superintendent of Police concerned and if it is found wanting in any respect, a report shall be made to the court concerned by him to initiate a proceeding for cancellation of bail for reasons of misuse of bail. After reporting to the Superintendent of Police, a certificate will be filed by the petitioner before the court concerned.

8. The bail bond of the petitioner shall be accepted by the learned Trial Court on showing receipt of deposit of aforesaid amount with the Lawyers' Association Welfare



Benevolent Fund.

9. Accordingly, the prayer for bail is allowed.

10. It is made clear that the observation, if any, made in this order, shall be of no bearing during the trial.

(Sourendra Pandey, J)

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