

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.87750 of 2025**

Arising Out of PS. Case No.-1004 Year-2025 Thana- SONEPUR District- Saran

Sudhir Rai @ Sudhir Kumar S/O Ramesh Rai @ Ramesh Ray R/O Village-  
Sabalpur Newal Tola @ Newl Tola, PS- Sonepur @ Sonpur, District- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Manish Chandra Gandhi, Adv.

For the Opposite Party/s : Mr. Meena Singh, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH  
MISHRA**

**ORAL ORDER**

2      15-01-2026      Heard learned counsel for the petitioner and learned

APP for the State.

2.      The petitioner apprehends his arrest in connection with Sonepur PS Case No. 1004 of 2025 instituted for the offences under Section 30(a) of the Bihar Prohibition and Excise Act.

3.      The prosecution case, in short, is that total 225 litres of country made liquor was recovered from behind the shop of co-accused.

4.      Learned counsel for the petitioner submitted that the petitioner has falsely been implicated in the present case. The name of the petitioner transpired in this case on the basis of identification by the local chowkidar. Learned counsel further submitted that the place of seizure is an open place and is accessible to one and all. The petitioner has got no concern with



the alleged recovery of liquor. Learned counsel for the petitioner, therefore, contends that prima-facie no case is made out against the petitioner. The petitioner has five criminal antecedents. There is no compliance of Section 103 of the Bharatiya Nagarika Suraksha Sanhita, 2023.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner. It is submitted that petitioner bears five criminal antecedents, that too of the similar nature, hence, he may not be enlarged on anticipatory bail.

6. Considering the aforesaid facts and circumstances of the case, since petitioner bears five criminal antecedents, that too of the similar nature, this Court is not inclined to grant anticipatory bail to the petitioner. Prayer for grant of anticipatory bail to the petitioner is hereby rejected.

7. However, if the petitioner surrenders before the court below within a period of four weeks from today and prays for regular bail, the same would be considered by the court below in accordance with law without being prejudiced by the order of this Court.

**(Rudra Prakash Mishra, J)**

Siddharth Soni/-

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