

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23277 of 2025

Arising Out of PS. Case No.-114 Year-2025 Thana- SONEPUR District- Saran

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Mithilesh Rai @ Mithilesh Kumar Ray aged 34 yrs, Male, Son of
Rampravesh Ray, R/O Village- Sabalpur Chaharam, P.S- Sonpur, Dist- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dharendra Prasad Sinha, Advocate

For the Opposite Party/s : Mrs. Sangeeta Sharma, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 30-04-2025 Heard Mr. Dharendra Prasad Sinha, learned counsel

appearing on behalf of the petitioner and Mr. Sangeeta Sharma,

learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection
with Sonapur P.S. Case No. 114 of 2025 registered for the
offence punishable under Section 30 (a) of the Bihar Prohibition
and Excise Act as amended up-to-date.

3. Allegation is of recovery of 153 litres of illicit
liquor from shop of one co-accused Sudhir Kumar.

4. Learned counsel appearing on behalf of the
petitioner submits that the petitioner has been falsely implicated
in the case due to local village politics. Petitioner has no
concern with the seized liquor nor he is involved in trade of
liquor in any manner. Name of the petitioner has surfaced on the



basis of confessional statement made by co-accused Sudhir Kumar, who was arrested on the spot and from whose shop, the illicit liquor was recovered. On these grounds, petitioner seeks to be released on pre-arrest bail.

5. Learned APP for the State has vehemently opposed the prayer for grant of pre-arrest bail to the petitioner and submits that due to sale and consumption of illicit liquor, day after day, hooch tragedy occurs and the State Officials of different department appears to have facilitated smuggling and trade of illicit liquor inside the State of Bihar. As such, involvement of the petitioner cannot be ruled out from illicit trade of liquor.

6. Considering the nature of allegation made in the FIR, as well as, the fact that name of the petitioner has surfaced on the basis of confessional statement made by co-accused Sudhir Kumar, who was arrested on the spot and from whose shop, the illicit liquor was recovered, the petitioner, above named, is directed to be released on pre-arrest bail, in the event of his/her arrest or surrender before the learned District Court within a period of four weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned 2nd



Exclusive Special Excise Judge, Saran at Chapra, in connection with Sonapur P.S. Case No. 114 of 2025, subject to the condition as laid down under Section 482(2) of the BNSS.

7. The learned District Court is directed to verify the criminal antecedent of the petitioner as stated in paragraph no. 3 of the bail application. If any other case is pending against the petitioner as what has been stated in paragraph no. 3, this order will lose its force automatically.

(Purnendu Singh, J)

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