

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2999 of 2025

Arising Out of PS. Case No.-283 Year-2024 Thana- AMNAUR District- Saran

Raju Kumar Ray NA Village- Bheldi, PS- Bheldi, Dist.- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 25137 of 2025

Arising Out of PS. Case No.-283 Year-2024 Thana- AMNAUR District- Saran

Vivek Kumar Rai S/o Suresh Rai R/o vill - Vishunpur Piprahi, P.S.- Amnour,
Distt.- Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :
(In CRIMINAL MISCELLANEOUS No. 2999 of 2025)
For the Petitioner/s : Mr.Nalin Kumar, Advocate
For the Opposite Party/s : Mr.Sanjay Kumar Pandey, APP
(In CRIMINAL MISCELLANEOUS No. 25137 of 2025)
For the Petitioner/s : Mr.Rabindra Kumar Tiwary, Advocate
For the Opposite Party/s : Mr.Sanjay Kumar Sharma, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

3 02-05-2025 Both these applications are arising out of same P.S

being Amnour P.S. Case No. 283 of 2024 and hence, are being

taken up together.

2. Heard learned counsel for the petitioners and

learned APP for the State.

3. The petitioners apprehend their arrest in connection

with Amnour P.S. Case No. 283 of 2024 registered under section



30(a) of the Bihar Prohibition and Excise Amendment Act, 2022.

4. As per the prosecution case, the informant states that secret information was received that illicit liquor was kept in the hotel of one Guddu Rai. On search, a total of 184 liters of foreign liquor is said to have been recovered from two motorcycles which were parked in the *varanda* of the said hotel.

5. Learned counsel for the petitioners submits that F.I.R is registered against one Guddu Rai. The petitioners have been falsely implicated in the case. Neither any recovery has been made from their physical or conscious possession nor they are concerned with the seized liquor. The name of the petitioners has transpired in this case only on the basis of suspicion on the disclosure made by the local *chowkidar* who has inimical terms with them. The petitioner Vivek Kumar Rai in Cr. Misc. No. 25137 of 2025 has no criminal antecedent while petitioner Raju Kumar Ray in Cr. Misc. No. 2990 of 2025 has one criminal antecedent in which he is on bail and undertakes to cooperate in the case/trial.

6. The application for anticipatory bail is opposed by learned A.P.P. for the State.



7. In view of the aforesaid facts of the case, it is directed that the petitioners, above named, in the event of their arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Amnour P.S. Case No. 283 of 2024 on each of them furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned 1st Exclusive Special Excise Court Saran at Chapra, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure/Section 482(2) of the B.N.S.S, 2023 and subject to the further condition that the learned Court below would however, verify the criminal antecedent of the petitioner Raju Kumar Ray in Cr. Misc. No. 2990 of 2025 and in case 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, it is expected that the verification process would be done expeditiously without causing any delay.

(Soni Shrivastava, J)

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