

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15809 of 2025

Arising Out of PS. Case No.-20 Year-2025 Thana- Excise P.S. District- Samastipur

Dilip Rai @ Dileep Rai Son of Modi Rai Resident of Village- Jhakhra, Ward
No. 13, P.S.- Kalyanpur, Distt.- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Prem Kumar Jha, APP

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

ORAL ORDER

2 05-03-2025 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner apprehends arrest in connection with
Samastipur Sadar Excise P.S. Case No. 20 of 2025 registered
under Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case in short, is that, total 50.940 litres
of illicit foreign liquor was recovered from the house.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. It is submitted that recovery is made from the joint
house of the petitioner where the other family members also
reside. The petitioner has got three criminal antecedents.

5. Learned APP for the State has vehemently opposed the
prayer for grant of bail to the petitioner and submits that the



petitioner bears three criminal antecedents. Hence, the petitioner does not deserve the privilege of anticipatory bail.

6. Considering the aforesaid facts and circumstances of the case and criminal antecedents of the petitioner, this Court is not inclined to grant anticipatory bail to the petitioner.

7. The prayer is *rejected*. However, the petitioner is directed to surrender in the Court below and pray for regular bail. If any such application is filed, the Court below shall consider and dispose of the same on its own merit without being prejudiced by this order.

(Rudra Prakash Mishra, J)

Raj Ranjan/-

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