

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18736 of 2025

Arising Out of PS. Case No.-260 Year-2024 Thana- NAYAGAON District- Saran

Prakash Rai @ Prakash Ray S/O Lalbabu Rai R/O Village- Hasilpur, P.S-
Nayagaon, District- Saran at Chapra (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rakesh Kumar, Advocate

For the Opposite Party/s : Mr. Nagendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 15-04-2025

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of anticipatory bail apprehending his arrest in connection with Nayagaon P.S. Case no.260 of 2024 registered under section 30(a) of Bihar Prohibition and Excise Act, 2016.

3. As per the prosecution case, on a search being conducted 70 litres of liquor was recovered from the motorcycle bearing registration no. BR-04V-8063 and the accused Rahul Kumar was taken into custody. On enquiry, he disclosed that the liquor belonged to Uday Kumar who was caught soon thereafter driving vehicle bearing registration no. BR-04AG-3851.

4. Learned counsel for the petitioner submits that no incriminating article was recovered from the petitioner's possession. The cause of false implication of the petitioner is his



antecedents. It is stated that the petitioner was falsely implicated on the ground that the vehicle being driven by co-accused Uday Kumar happens to be registered in the petitioner's name. The petitioner undertakes to cooperate in the case/trial.

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

6. Having heard learned counsel for the parties and taking into consideration the allegations in the F.I.R., the petitioner not having been arrested at the spot, the only material against the petitioner being that the petitioner happens to be the registered owner of one of the vehicles which was being driven by co-accused Uday Kumar, it is directed that the petitioner, above named, in the event of his arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Nayagaon P.S. Case no. 260 of 2024 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Judge-II, Saran at Chapra.

(Partha Sarthy, J)

avinash/-

U		T	
---	--	---	--

