

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24341 of 2025

Arising Out of PS. Case No.-57 Year-2021 Thana- CHAPRA MUFFASIL District- Saran

BABLU RAI Son of Lalu Ray Resident of Village - Sadha, P.S.- Chapra
Muffasil, District - Saran at Chapra.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhananjay Kumar Tiwary, Advocate
For the Opposite Party/s : Mr. Vinod Shanker Modi, APP

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

3 25-07-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. This is the 2nd attempt of the petitioner for anticipatory bail in connection with Chapra (M) P.S. Case No.57 of 2021 registered for the offence under Section 272, 273, 324, 353 of the Indian Penal Code and Section 30(a)/45 of the Bihar Prohibition and Excise Act, 2016.

3. Earlier the prayer of the petitioner for anticipatory bail was rejected by this Court vide order dated 17.12.2021 passed in Cr. Misc. No.45207 of 2021.

4. The following order was passed on 17.12.2021 in Cr. Misc. No.45207 of 2021:

*“Heard learned counsel for
the parties.*



Learned counsel for the petitioner is permitted to remove defect(s), as pointed out by the office, if any, within a period of four weeks from today.

This application for grant of anticipatory bail arises out of Muffasil P.S. Case No. 57/2021 registered for the offence under Section 30(a)/45 of the Bihar Prohibition and Excise Act and Section 272/273/324/353 of the Indian Penal Code.

In view of the fact that prima facie a case under the Excise Act, is made out against the petitioner, this application for grant of anticipatory bail to the petitioner is not maintainable in view of Full Bench decision of this Court rendered in the case of Ram Vinay Yadav vs. The State of Bihar reported in 2019(2) P.L.J.R. 1089 (F.B.)

Accordingly, this anticipatory bail application is dismissed as not maintainable.”

5. The anticipatory bail of the petitioner was rejected on 17.12.2021, thereafter, the petitioner has not surrendered in the Trial Court. It appears that the petitioner is an absconder.

6. In view of the law laid down by the Hon'ble Supreme Court in the case of **G.R. Ananda Babu Vs. State of Tamil Nadu** reported as **2021 SCC Online SC 176**, Second



Anticipatory Bail Application is not maintainable and, therefore, the prayer of the petitioner for anticipatory bail is hereby rejected.

7. The petitioner is directed to surrender within one week from today and pray for regular bail, failing which the Superintendent of Police, Saran at Chapra will take all steps for the arrest of the petitioner.

8. Let a copy of this order be communicated to the Superintendent of Police, Saran at Chapra through FAX for its compliance forthwith.

(Sandeep Kumar, J)

anand/-

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