

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18896 of 2025

Arising Out of PS. Case No.-353 Year-2024 Thana- KASIMBAZAR District- Munger

Kshatri Rai @ Chatri Ray S/O Late Ramgulam Rai R/O Vill.- Nayatola
Chandaubagh, P.S- Kasim Bazar, District- Munger

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Deep Anshuman, Adv.

For the Opposite Party/s : Mr.Ram Anurag Singh, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 16-04-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner apprehends arrest in connection with
Kasim Bazar PS Case No. 353 of 2024 dated 11-12-2024,
instituted under Section 30(a) of the Bihar Prohibition and
Excise Act, 2022.

3. The allegation is of the recovery of 21 litres of
illicit Mahua liquor, contained in bottles and polythene bags
kept in a sack, from Sati Chaura Ghat at Chandanbag Nayatola.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and he has been falsely implicated in the
present case. It is submitted that no recovery has been made
from the conscious possession of the petitioner. The alleged
illicit *Mahua* liquor was recovered from Sati Chaura Ghat at



Chandanbag Nayatola, which is a public place accessible to all. It is further submitted that the petitioner has been made an accused merely on the basis of a disclosure made by a villager. Lastly, it is submitted that three other criminal cases are pending against the petitioner.

5. Learned APP has opposed the prayer for bail.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge, Excise -01, Munger, in Kasim Bazar PS Case No. 353 of 2024, subject to the conditions laid down in Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita 2023, and further (i) that the petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below, (ii) that one of the bailors will be his own blood relation, preferably father, mother, brother, sister and or his wife, (iii) that the bailor shall also state on affidavit that he will inform the



court concerned if the petitioner is made accused in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse, and (iv) that if the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail, and (v) that the petitioner will appear before the SHO of concerned PS every fortnightly to mark his attendance till conclusion of the trial.

7. The application stands allowed.

(Khatim Reza, J)

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