

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27567 of 2025

Arising Out of PS. Case No.-654 Year-2024 Thana- DARIYAPUR District- Saran

Manak Ray @ Manok Ray S/o Late Yogindra Ray R/o Village- Harana, P.S.-
Dariyapur, District- Saran

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Shweta, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 14-05-2025 Heard the parties.

2. The petitioner is apprehending arrest in connection with Dariyapur P.S. Case No. 654 of 2024 instituted under Sections 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2016 lodged on 15.11.2024 by the informant, Ravindra Bharti.

3. As per the prosecution story, the informant alleged that on secret information, the Police reached near the place. The accused managed to escape but ‘Chowkidar’ named him. There is recovery/seizure of 30 liters of country made liquor. This led to the FIR.

4. Learned counsel for the petitioner submits that nothing has been recovered from his conscious possession rather from an open place, due to enmity, the ‘Chowkidar’ named him



only because he has criminal antecedent.

5. Learned APP opposes the prayer.

6. Considering the submissions of the parties as also that the recovery/seizure from an open place, an undertaking has been given that he shall be diligently appearing in trial, in that background, this Court is inclined to extend him the privilege of anticipatory bail.

7. Let the petitioner be released on bail, in the event of his arrest or surrender before the subordinate court within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each in connection with Dariyapur P.S. Case No. 654 of 2024 to the satisfaction of learned Special Judge-1st, Saran at Chapra subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also the other conditions.

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;



(iii) the petitioner shall appear before the concerned police station every month for next one year to mark his attendance;

(iv) the petitioner shall co-operate in the investigation and make himself available to the police as and when required;

(v) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(vi) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

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