

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24331 of 2025

Arising Out of PS. Case No.-27 Year-2025 Thana- HALAI District- Samastipur

Sri Golu @ Chhotu @ Aditya Ray Son of Vijay Kumar Ray Resident of
Village - Rahiyahi Kumaiya, P.S.- Halai, Post - Halai, District - Samastipur,
State - Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhay Kumar

For the Opposite Party/s : Mr. Md. Iftekhar Mahmood

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA

ORAL ORDER

2 02-05-2025 1. Heard learned Counsel for the petitioner and
learned Additional Public Prosecutor for the State.

2. This application, for grant of anticipatory bail,
arises out of Halai Police Station Case No. 27 of 2025,
disclosing offences under Sections 274, 275 of the BNS, 2023
and Section 30(a) of the Bihar Prohibition and Excise
Amendment Act, 2022.

3. As per the prosecution case, on 05.03.2025 at
3:00 AM, Sub-Inspector Ranglal Sah and his team from Halai
Police Station chased an Alto car and a motorcycle that fled
during a police raid. The car was intercepted near Karkhana
Chowk, and one person, Vikesh Kumar, was arrested. The
person riding the motorcycle escaped. From the car, bearing
Reg. No. BR-1AC-7428, police recovered 181.44 liters of illicit
foreign liquor, including cartons marked for sale in Uttar



Pradesh only, and a mobile phone. Vikesh Kumar disclosed the name of the person who escaped on a motorcycle as Golu @ Chotu @ Aditya Ray i.e., petitioner, who allegedly supplied the illegal liquor.

4. Learned Counsel for the petitioner submits that the petitioner has not committed any offence in the manner alleged and has falsely been implicated in the present case by the police. No illicit liquor has been recovered from the conscious possession of the petitioner. Petitioner was not present at the spot. Petitioner is/was neither the owner nor the driver of the motorcycle/car. Petitioner has been made accused merely on the basis of confessional statement of the arrested co-accused namely Vikesh Kumar who is having inimical terms with the petitioner. Petitioner is having no criminal antecedent.

5. Having regard to the submissions made on behalf of the parties and taking into consideration the fact that petitioner is having no criminal antecedent, petitioner is/was not the owner nor the driver of the car from which liquor has been recovered and the petitioner has been made accused merely on the basis of disclosure of his name by the arrested co-accused Vikesh Kumar, I am inclined to grant the petitioner privilege of anticipatory bail.



6. This application is, accordingly, allowed.

7. Let the petitioner, above named, in the event of his arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge Excise 2nd, Samastipur, in connection with Halai Police Station Case No. 27 of 2025, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure/Section 482(2) of the BNSS, 2023.

(Anil Kumar Sinha, J)

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