

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26109 of 2025

Arising Out of PS. Case No.-161 Year-2025 Thana- SONEPUR District- Saran

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Ramjeet Ray @ Motka S/o Sudarshan Ray R/o Village- Rahimpur, P.S.-
Sonepur, District- Saran at Chapra (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Humayou Ahmad Khan, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 05-05-2025 Heard Mr. Rakesh Kumar, learned counsel for the

petitioner and Mr. Humayou Ahmad Khan, learned APP for the

State.

2. The petitioner is apprehending his arrest in connection with Sonepur P.S. Case No. 161 of 2025 for the offence under section 30(a) of the Bihar Prohibition and Excise Act, lodged on 23.02.2025 by the informant, Raj Nandan.

3. As per the prosecution story, the informant alleged that on secret information the police went near river Ganga. Those present managed to escape, but the Choukidar named them. There is/was recovery of 225 litres country made liquor. This led to the FIR.

4. Learned counsel for the petitioner submits that nothing has been recovered from conscious possession rather



from an open place. He has criminal antecedent which led the police to implicate him again. The last submission is that without accepting the allegation and/or the outcome of the present case, the petitioner intends to contribute Rs. 15,000/- to the District Legal Services Authority, Chapra, for beautification/putting up flower pots in the Civil Court Campus of Chapra Judgeship through Demand Draft issued by the local branch of the State Bank of India.

5. Learned APP opposes the prayer for anticipatory bail.

6. Taking into account the submissions of the parties as also the fact that the recovery is from an open place near river Ganga, though the name has come, he shall be facing the music, in that background, this Court is inclined to extend him the privilege of anticipatory bail with conditions, subject to payment of Rs.15,000/- to the District Legal Services Authority, Chapra, for beautification/putting up flower pots in the Civil Court Campus of Chapra Judgeship through Demand Draft issued by the local branch of the State Bank of India and the receipt of the expenditure shall be submitted to the trial Court by the DLSA, Chapra.

7. Let the petitioner be released on bail in the event of



arrest or surrender 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 like amount each to the satisfaction of learned 2nd Exclusive Special Excise Judge, Saran at Chapra, in connection with Sonapur P.S. Case No.161 of 2025, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(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 fortnight for next six months to mark his attendance;

(iv) 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;

(v) 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.

8. A copy of the order be sent to the Principal District and Sessions Judge, Chapra, for his/her perusal and needful.

(Rajiv Roy, J)

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