

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 27328 of 2025

Arising Out of PS. Case No.-8 Year-2020 Thana- MUFFASIL District- Aurangabad

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Randhir Kumar Ray @ Randhir Panday S/O Arun Ray R/O Village- Palihaari,
Near Bank More, P.S.- Bokaro, District- Jharkhand

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Ms.Rupa Kumari

For the Opposite Party/s : Mr.Kumar Ranjit Ranjan

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 06-05-2025 Heard the parties.

2. The petitioner apprehends his arrest in connection with Muffasil P.S. Case No. 8 of 2020, registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2018.

3. On a tip off trafficking of illicit wine, the police conducted raid and intercepted a Maruti Car 800 bearing Chasis No. 1653380 and apprehended one Tribhuwan Kumar Gupta. In course of search, total 69.375 liters of Indian made foreign liquor was recovered.

4. Learned Advocate for the petitioner submitted that from perusal of the FIR it would be evident that neither the name of the petitioner has been disclosed in the FIR nor the registration number of the car, except the model number. It is further contended that in fact on the alleged date of occurrence



co-accused Tribhuwan Kumar Gupta had taken away his Maruti Car on the pretext of visiting the house of some relatives and the petitioner was not knowing this fact that his car has ever been used for illicit purpose nor he has ever consented for the same. Owing to non disclosure of the registration number of the Car and the name of the petitioner, he was not acquainted with the lodging of the FIR and later on when he came to know about the present case, he approached the Court. There is no other materials collected during the course of investigation which suggest the complicity of the petitioner in the crime; moreover the petitioner bears fair antecedent and he undertakes that he will fully cooperate in the proceeding of the court.

5. On the other hand, learned Advocate for the State vehemently opposes the bail application and submits that the use of vehicle of the petitioner in the crime speaks about his complicity.

6. Regard being had to the submissions made on behalf of the parties and considering the fact that the petitioner is neither named in the FIR nor even the registration number of the Car has been disclosed, coupled with the fair antecedent and the infirmities in search and seizure, let the petitioner abovenamed be released on bail, in the event of his arrest or



surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of the learned District and Additional Sessions Judge-cum-Special Judge, Excise Court No. 1st, Aurangabad in connection with Muffasil P.S. Case No. 8 of 2020, subject to the conditions laid down in Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita, 2023, with the further condition that one of the bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

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