

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30827 of 2025

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

J. K. Ray @ Sunil Kumar Yadav S/o- Ramayan Ray Resident of village-
Rahimpur PS- Sonepur Dist- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manish Chandra Gandhi, Advocate

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

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 15-05-2025 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner is apprehending arrest in connection with Sonepur P.S. Case No. 161 of 2025, dated 23.02.2025, lodged under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2022, pending before the Court of 2nd Exclusive Special Excise Judge, Saran at Chapra.

3. As per the prosecution, total recovery of 225 litres of illicit country made liquor has been made, which is the subject matter of the present case.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. It is further submitted that nothing has been recovered from the conscious possession of the petitioner, and he has been unnecessarily made accused in the present case. Counsel further submits that the petitioner does not have a clean antecedent, as two criminal cases are pending against them. Counsel also submits that the



petitioner is ready and willing to comply with any conditions whatsoever that may be imposed upon him.

5. Learned APP for the State opposes the prayer for bail of the petitioner and submits that the petitioner does not have clean a criminal antecedent, and the pending case also pertains to the Excise Act.

6. In the present facts and circumstances, this Court is not inclined to grant anticipatory bail to the petitioner. Accordingly, the prayer for anticipatory bail of the petitioner is hereby **rejected**.

7. It is directed to the petitioner to surrender before the Trial Court within a period of 6 weeks from today. In case, the petitioner surrenders within six weeks, then the Trial Court is directed to pass order on his surrender-cum-bail application on the same day without being prejudice that the anticipatory bail of the petitioner has been rejected by this Court and the Trial Court shall pass order on the merit of this case, considering whether the ingredients of the Bihar Prohibition and Excise (Amendment) Act is made out against the petitioner or not.

(Dr. Anshuman, J.)

Aman Kumar/-

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