

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30320 of 2025

Arising Out of PS. Case No.-111 Year-2025 Thana- VAISHALI District- Vaishali

Ranjeet Ray @ Ranjeet Kumar Son of Bindeshwar Ray Village- Dukhan
Saraiya, P.S.- Paru, District -Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vasant Vikas, Advocate
For the State : Md. Nazir Ansari, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 19-05-2025 Heard the parties.

2. The petitioner apprehends his arrest in connection with Vaishali P.S. Case No. 111 of 2025 for the offence registered under Section 30(a) of the Bihar Prohibition and Excise Act and under Section 317(5) of the B.N.S. lodged on 09.03.2025 by the informant Kedar Prasad.

3. As per the prosecution story, the informant alleged that he intercepted a Maruti Car and two persons tried to escape. One of them, Pappu Kumar was apprehended and gave the name of the present petitioner. Following the search, 240 liters of country made liquor was recovered which led to the FIR.

4. Learned counsel for the petitioner submits that neither he owns the said vehicle nor have any concern with the alleged recovery and only due to enmity, his name has come up.



Further, the case is maintainable and does not come within the ambit of Section 76 (2) of the Bihar Excise Act.

5. Learned APP for the State, on the other hand, opposes the prayer for anticipatory bail and submits that the name of the petitioner was given by the person who was apprehended.

6. Considering the submissions of the parties as also the fact that the petitioner has no criminal antecedent and nothing has been recovered from his conscious possession, in that background, this Court is inclined to grant him the anticipatory bail with conditions.

7. Let the petitioner in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Prohibition and Excise Court 2nd-cum-District and Additional Sessions Judge, Hajipur, Vaishali in connection with Vaishali P.S. Case No. 111 of 2025 subject to condition as laid down under Section 438 (2) of the Cr.P.C.

(i) one of the bailor should be the family members/relatives of the petitioner, who shall provide official



document to show is *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 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 the bail bonds.

8. However, if it is found that the petitioner has criminal antecedent, the order shall become infructuous.

(Rajiv Roy, J)

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