

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34065 of 2025

Arising Out of PS. Case No.-351 Year-2023 Thana- SAMASTIPUR District- Samastipur

Raj Kumar @ Raj Kumar Ray S/o- Dineshwar Ray Resident of Village-
Jirwara Police Station- Mahua, Dist- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Suresh Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 29-05-2025 Heard learned counsel for the petitioner and
learned Additional Public Prosecutor for the State.

2. The petitioner seek bail in connection with
Samastipur Town P.S. Case No.351 of 2023 registered for
the offences under Section 30(a), 32(1), 32(2), 41(1) and
41(2) of Bihar Prohibition and Excise Act.

3. As per the prosecution case the police got an
information that a vehicle was going to Darbhanga via
Samastipur, which was intercepted and on search 92.25
litres of foreign liquor was recovered from the vehicle and
two persons were apprehended who disclosed the name as
Mantu Rai and Rohit Bin (driver). The apprehended person
disclosed that the vehicle was given by one Raj Kumar Rai



(petitioner) who had asked them to take the same to Samastipur.

4. Learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated at the behest of the apprehended persons. Learned counsel further submits that he has no concern with the seized vehicle or the alleged recovered liquor. It has further been submitted that no incriminating article has been recovered from the conscious possession of the petitioner and the co-accused persons who were apprehended alongwith the said seized liquor have been granted bail by a co-ordinate bench of this Court. It is lastly submitted that the petitioner though has one criminal case against his name of similar offence however he is in custody since 12.03.2025.

5. Learned APP for the State has opposed the prayer for bail of the petitioner and has stated that the car belongs to the petitioner and he had forced the apprehended accused persons to carry the said liquor.

6. Considering the aforesaid facts and circumstances of the case and taking into account that the petitioner was not apprehended from the place of



occurrence and his name has been surfaced in this case only on confessional statement of the apprehended accused persons, let the petitioner above-named be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge Excise-1st, Samastipur in connection with Samastipur Town P.S. Case No.351 of 2023 subject to the conditions :-

- a. One of the bailors of the petitioner shall be his close relative.
- b. The petitioner shall remain physically present in Court on each date of the trial.
- c. In case of absence on two consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.
- d. The Court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of



bail bonds in terms of the afore-mentioned order shall not
be delayed for purpose of or in the name of verification.

(Sourendra Pandey, J)

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