

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33892 of 2025

Arising Out of PS. Case No.-181 Year-2025 Thana- MANER District- Patna

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Bauwa Jee @ Suday Ray @ Bauja Jee S/o Sarba Ray R/o Vill.- Khaspur, P.S.-
Maner, Distt.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dhananjay Kumar Tiwary, Adv.
For the Opposite Party/s : Mr. Mohammed Arif, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 21-05-2025 Heard the parties.

2. The petitioner apprehends his arrest in connection with Maner P.S. Case No. 181 of 2025 for the offence registered under sections 30(a) and 41 of the Bihar Prohibition and Excise Act lodged on 15.03.2025 by the informant, Kumar Ranjan.

3. As per the prosecution story, the informant alleged that during patrolling, on information, the hut was raided and there is recovery/seizure of 12 liter foreign liquor. The locals gave the name of the petitioner. This led to the FIR.

4. Learned Counsel for the petitioner submits that the recovery/seizure is from an open place, not from his conscious possession and he has no criminal antecedent.

5. Learned APP for the State, on the other hand, opposes the prayer for anticipatory bail.



6. Considering the submissions of the parties as also the fact that the recovery/seizure is from an open place (hut) and not from his conscious possession, has no criminal antecedent, 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) each with two sureties of the like amount each to the satisfaction of the learned Special Excise Judge, Patna in connection with Maner P.S. Case No. 181 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 his *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.

(Rajiv Roy, J)

Vijay Singh/-

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