

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33234 of 2025

Arising Out of PS. Case No.-5 Year-2025 Thana- BOKHRA District- Sitamarhi

Santosh Ray S/o Ram Dev Ray R/o Village- Kurhar, P.S.- Bokhra, District-
Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amrit Abhijat

For the Opposite Party/s : Mr.Mritunjay Kumar Nirala

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 20-05-2025 Heard learned counsel appearing on behalf of the

petitioner and learned Additional Public Prosecutor appearing

on behalf of the State.

2. The accused/petitioner is named in the F.I.R.

and apprehended his arrest in connection with Bokhra P.S.

Case No. 05 of 2025 registered for the offences punishable

under Section 30 (a) of the Bihar Prohibition and Excise Act.

3. The allegation against the petitioner is to be

engage in illegal trading/manufacturing of illicit liquor, where,

there is recovery of 1000.86 litres of IMFL/country made

liquor.

4. Learned counsel appearing on behalf of the



petitioner submitted that alleged Mahindra Pick-up carrying consignment of illicit liquor was found parked in the campus of one Arun Kumar Jha @ Full Babu Jha and on the basis of disclosure, name of petitioner transpired in the present case. It is submitted that as per seizure, illicit liquor was not recovered from the physical possession of this petitioner. It is pointed out that one of the reason for implication are the criminal antecedents of the petitioner and suspicion arising out of criminal antecedents, as petitioner found involved in four more cases of similar nature, where he is on bail.

5. Learned APP appearing on behalf of the State, opposes the prayer for anticipatory bail.

6. In view of aforesaid facts and circumstances and by taking note of the fact as recovery of illicit liquor prima-facie not appears to be made from the conscious physical possession of this petitioner, accordingly the petitioner above named, in the event of his arrest or surrender before the learned Trial Court within a period of four weeks, is directed to be released on bail, furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like



amount each to the satisfaction of the learned Special Judge,
Exclusive Excise Court No. 2, Sitamarhi/concerned Trial Court
where the case is pending in connection with Bokhra P.S.
Case No. 05 of 2025 subject to the conditions as laid down
under Section 482(2) of the BNSS with further condition:-

(i) That petitioner shall not involve in the similar
nature of offence till the conclusion of trial, failing
which, the State shall be at liberty to move before
the Trial Court itself for the cancellation of bail bond
of the petitioner.

(Chandra Shekhar Jha, J.)

S.Tripathi/-

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