

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.41604 of 2025**

Arising Out of PS. Case No.-27 Year-2025 Thana- PARBATTa District- Khagaria

Sanjeev Rai @ Sanjeev Kumar Rai Son of Late Raghav Rai Resident of  
Village -Khajraitha PS Parbatta District Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Santosh Kumar Singh, Adv

For the Opposite Party/s : Mr. Pushpa Sinha, APP

**CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY**  
**ORAL ORDER**

2      04-07-2025                      Heard learned Counsel for the petitioner and learned  
A.P.P for the State.

2. The petitioner is apprehending his arrest in connection with Parbatta P.S. Case No. 27 of 2025 registered for the offences punishable under Sections 61(2) of the B.N.S. and Sections 30(a) & 41(1) of the Bihar Excise and Prohibition Act.

3. As per the prosecution case, 3072.6 litres illicit foreign liquor was recovered from container in question and two persons, namely, Asif Khan and Abhijeet Kumar were apprehended on the spot and they further disclosed the name of their accomplice including the petitioner.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. It is next submitted that the petitioner has no concern



with the alleged recovery and no incriminating article has been recovered from his conscious physical possession. It is next submitted that similarly situated co-accused person has already been granted anticipatory bail by a co-ordinate Bench of this Court vide order dated 22.05.2025 passed in Cr. Misc. No. 34056 of 2025. It is lastly submitted that the petitioner has one criminal antecedent. Learned counsel for the petitioner undertakes to deposit a sum of Rs. 5,000/- in the account of Advocate Association of the Patna High Court, Patna.

5. Learned APP for the State has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid submissions of the parties as well as undertaking given by the petitioner and also considering the fact that similarly situated co-accused person has already been granted anticipatory bail by a co-ordinate Bench of this Court, let the above named petitioner, in the event of his arrest/surrender within a period of four weeks from today, be enlarged on anticipatory bail, *on deposition of a sum of Rs. 5,000/- to the Advocate Association of the Patna High Court, Patna, and an acknowledgment receipt be submitted before the learned Court below prior to the furnishing of bail-bonds* and thereafter on furnishing bail-bonds of Rs. 10,000/- (Rupees Ten



Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Khagaria, in connection with Parbatta P.S. Case No. 27 of 2025, subject to the conditions as laid down under Section 482(2) of the Bharitya Nagrik Suraksha Sanhita (B.N.S.S.), with further condition/s:-

*(i) One of the bailors will be a close relative of the petitioner.*

*(ii) The petitioner will remain present on each and every date fixed by the Court below, if so required by the learned Trial Court.*

*(iii) In case of absence on two consecutive dates or in violation of the terms of the bail, the bail bonds of the petitioner will be liable to be canceled by the Court concerned.*

*(iv) If the petitioner is found involved in similar nature of offence in future, the prosecution will be at liberty to move for cancellation of his bail bond.*

*(v) The learned Court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner have concealed his criminal antecedent, the court below shall take step for cancellation of bail bonds of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.*

7. The application stands allowed.

**(Sourendra Pandey, J)**

Jyoti/-

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