

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46031 of 2025

Arising Out of PS. Case No.-68 Year-2025 Thana- KOILWAR District- Bhojpur

Ramesh Rai S/o Navlakh Rai Resident of Village- Manachak, PS- Koilwar,
Distt.- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Arun Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 05-08-2025 Heard Mr. Manoj Kumar, learned counsel for the

petitioner and Mr. Arun Kumar Pandey, learned APP for the

State.

2. The instant application for anticipatory bail has
been filed by the petitioner apprehending his arrest in
connection with Koilwar P.S. Case No. 68 of 2025 instituted for
the offence under Section 30(a) of the Bihar Prohibition and
Excise Act and Section 25(1-b)a/26 of the Arms Act.

3. The case of the prosecution is that from the *dalan*
of the petitioner, one country made rifle along with six live
cartridges was recovered. It is also alleged that from *dalan*, 18
bottles of 75ml each containing Royal Stag Superior Whiskey
was also recovered.

4. Learned counsel appearing on behalf of the



petitioner has submitted that petitioner is innocent and has committed no offence. He has falsely been implicated in this case. He has further submitted that the recovery was made in the midnight from open place. He has also submitted that there has been altercation between him and police as they were asking regarding the persons who are dealing in liquor. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent. From perusal of the seizure list also, it transpires that the seizure was made from the *dalan*. According to the FIR, the time of raid is 00:15 hours whereas the seizure list was made at 4:05 AM.

5. In contra, learned APP appearing for the State has vehemently opposed the prayer of bail of the petitioner.

6. Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Koilwar P.S. Case No. 68 of 2025, he will 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 learned Exclusive Special Excise Judge II,



Bhojpur at Ara subject to the conditions as laid down under
section 438(2) of the Cr.P.C.

(Ashok Kumar Pandey, J)

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