

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54231 of 2025

Arising Out of PS. Case No.-81 Year-2025 Thana- SUGAULI District- East Champaran

Raju Rai @ Raju Kumar Rai S/o Ganeshi Rai @ Ganeshi Ray @ Ganesh Rai
RO Village- Pathar Ghat, PS- Shahpur Patori (Mohanpur OP), District-
Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manish Chandra Gandhi, Adv.

For the Opposite Party/s : Mr.Md. Nazir Ansari, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 08-08-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection
with Sugauli P.S. Case No. 81 of 2025 registered for the
offences punishable under Section 30(a) of the Bihar
Prohibition & Excise Act.

3. As per prosecution case, the police has recovered
355.59 liters of illicit liquor from two cars.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence as alleged
against him and has falsely been implicated in the present case.
The petitioner was neither apprehended on spot nor anything
incriminating has been recovered from his conscious possession



or from his dwelling house. Learned counsel for the petitioner submits that the petitioner is the registered owner of the alleged Baleno car bearing Regd. No. BR01DD8459 and the same was taken away by his friend Manoj Singh for bringing his daughter from her matrimonial home and, thus, he was not aware of the fact that his car was being used for the illegal purposes. The petitioner has no concern with the recovered wine or the co-accused persons and, thus, *prima facie* no case is made out against the petitioner. The petitioner has three criminal antecedents but, in all of them, he is on bail as has been stated in paragraph no.3 of the present anticipatory bail application. There is a non-compliance of Section 103 of the B.N.S.S. which creates a serious doubt in the prosecution case.

5. Learned counsel for the petitioner further submits that several co-accused persons have been granted regular bail by this Court vide orders dated 13.05.2025, 23.06.2025 & 24.06.2025 passed in Cr. Misc. Nos. 31505 of 2025, 37763 of 2025 & 38472 of 2025 respectively.

6. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

7. Considering the entire facts and circumstances of the case and taking into account the submissions made by the



learned counsel for the petitioner, let the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Sugauli P.S. Case No. 81 of 2025, subject to the conditions as laid down under Section 482 (2) of the B.N.S.S.

(Rudra Prakash Mishra, J)

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