

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59800 of 2025

Arising Out of PS. Case No.-103 Year-2025 Thana- KISHANPUR District- Supaul

Amresh Kumar Ray, S/o Dinesh Kumar Rai @ Dinesh Narayan Rai, R/o
Village- Khanpur Sonbarsha, Ward No. 4, P.S.- Kishanpur, District- Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shatrughna Pandey, Advocate.
For the State : Mr. Rana Randhir Singh, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 23-09-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail, apprehending his arrest, in connection with Kishanpur P.S. Case No. 103 of 2025, dated 4.6.2025 registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2022.

3. As per allegation, 717 litres of illicit liquor has been recovered from the house of co-accused Rajesh Kumar Roy and in his confessional statement, he has alleged that the petitioner is also accomplice in his illegal business and at his instance, about 31 litres of illicit liquor has been recovered from the agriculture field.

4. Learned counsel for the petitioner submits that the



Petitioner is innocent and has falsely been implicated in this case. He further submits that as per prosecution case, there is no legal basis to connect the petitioner with the alleged offence and there is no recovery from the house of the petitioner. Only basis of the case against the petitioner is that his name has transpired in the confessional statement of co-accused which has no evidentiary value. He also submits that no *prima facie* case is made out against the petitioner and, hence, the present petition is maintainable and the petitioner deserved to be enlarged on anticipatory bail.

5. It is also stated in paragraph No. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph No.3 of the bail petition that the petitioner has no criminal antecedents.

7. However, learned APP for the State vehemently opposes the prayer of the Petitioner for bail.

8. Considering the aforesaid facts and circumstances, **this petition is allowed**, directing the petitioner, above-named, to be enlarged on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on his



furnishing bail bonds in the sum of Rs.10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned concerned court below in connection with Kishanpur P.S. Case No. 103 of 2025, subject to the conditions as laid down under Section 482 (2) of the B.N.S.S 2023, and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioner has any criminal antecedent, learned court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, learned court below shall cancel the bail bonds of the petitioner.

(Jitendra Kumar, J)

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