

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59455 of 2025

Arising Out of PS. Case No.-401 Year-2025 Thana- SONEPUR District- Saran

1. Anilkumar Ray @ Anil Ray S/O Jhulan Ray R/O Village- Pahleja-Nakhipur, P.S.- Sonpur, District- Saran at Chapra
2. Sudhir Kumar S/O Lalbabu Ray R/O Village- Sabalpur- Pachhiyari Tola , P.S.- Sonpur, District- Saran at Chapra
3. Rakesh Kumar S/O Ramesh Ray R/O Village- Sabalpur Mahikinara , P.S.- Sonpur, District- Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Tribhuwan Narayan, Advocate
For the Opposite Party/s : Mr. Jitendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 22-09-2025 Heard Mr. Tribhuwan Narayan, learned counsel for the petitioners and Mr. Jitendra Kumar Singh, learned APP for the State.

2. The petitioners are apprehending arrest in connection with Sonpur P.S. Case No. 401 of 2025 instituted under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act lodged on 28.04.2025 by the informant, Rajnandan.

3. As per the prosecution story, the informant alleged that on secret information about movement of huge quantity of liquor from Uttar Pradesh, the truck was intercepted and there is



recovery/seizure of 855.36 liters of foreign liquor. The driver and the cleaner namely Nand Kumar Rai and Umesh Rai respectively were taken into custody and this led to the FIR.

4. Learned counsel for the petitioners submit that none of them own the truck, those driving and taking away the liquor, namely Nand Kumar Rai and Umesh Rai already stands arrested and the Police forced them to give the name of at least one dozen people, the three petitioners herein included only because they have criminal antecedent.

5. The last submission is that irrespective of the outcome of the present case and/or accepting the allegation, the petitioners intend to contribute Rs.10,000/- each (totalling Rs. 30,000/-) to the District Legal Services Authority, Saran at Chapra for the beatification/ purchase of flower post/installation of Sanitary Vending Machine for Civil Court Campus, Saran at Chapra whichever is/are required through Demand Draft issued by the local branch of the State Bank of India and the receipt has to be submitted before the Trial Court.

6. Learned APP opposes the prayer submitting that they have criminal antecedent and the apprehended persons named them.

7. Considering the submissions of the parties as also



the fact the petitioner owns the vehicle, has no criminal antecedent, FIR is there, an undertaking has been given that she shall be diligently appearing in trial, in that background, this Court is inclined to extend him the privilege of anticipatory bail subject to payment of Rs. /- to the District Legal Services Authority, for purchase of/installation of Sanitary Vending Machine for Civil Court Campus, through Demand Draft issued by the local branch of the State Bank of India.

8. Taking into account the submissions of the parties as also the fact that the truck does not belong to them, those driving it already stand arrested, the FIR has been lodged, they shall be facing the music, in that background, this Court is inclined to extend them the privilege of anticipatory bail subject to payment of Rs.10,000/- each (totalling Rs.30,000/-) to the District Legal Services Authority, Saran at Chapra for the beatification/ purchase of flower post/installation of Sanitary Vending Machine for Civil Court Campus, Saran at Chapra whichever is/are required through Demand Draft issued by the local branch of the State Bank of India and the receipt has to be submitted before the Trial Court.

9. Let the petitioners be released on bail, in the event of their arrest or surrender before the subordinate court within a



period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each in connection with Sonpur P.S. Case No. 401 of 2025 to the satisfaction of learned 2nd Exclusive Special Excise Judge, Saran at Chapra subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also the other conditions.

(i) one of the bailor should be the family member/relative of the petitioners who shall provide official document to show their bona fide;

(ii) the petitioners shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of their bail bond by the Trial Court itself;

(iii) the petitioners shall appear before the concerned police station every fortnight for next six months to mark their attendance;

(iii) the petitioners shall co-operate in the investigation and make himself available to the police as and when required;

(iv) the petitioners shall in no way try to induce or promise or threat the witnesses or tamper with the evidences,



failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

10. Let a copy of this order be communicated to the learned Principal District and Sessions Judge, Saran at Chapra for his perusal and needful.

(Rajiv Roy, J)

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