

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61337 of 2025

Arising Out of PS. Case No.-76 Year-2025 Thana- Bariyarpur District- Muzaffarpur

Binod Kumar Rai @ Vinod Rai @ Vinod Kumar Ray S/o Ramprit Rai R/o
Village- Kutubpur, P.S.- Bariyarpur, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Priyesh Kumar, Advocate
For the Opposite Party/s : Mr.Vinod Shanker Modi, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 23-09-2025 Heard the parties.

2. The petitioner is apprehending arrest in connection with Bariyarpur P.S. Case No. 76 of 2025 instituted under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2022 lodged on 15.05.2025 by the informant, Sarjan Kumar.

3. As per the prosecution story, the Police raided the cattle shed of the petitioner and there is recovery/seizure of 4.680 liters of foreign liquor. This led to the FIR.

4.Learned counsel for the petitioner submits that the said cattle shed is open having access to everyone. He has no role to play which reflects from the fact that the petitioner has no criminal antecedent.

5. Learned APP opposes the prayer.



6. Taking into account the aforesaid facts as also that the recovery is from an open place, this petitioner has no criminal antecedent, in that background, this Court is inclined to extend him the privilege of anticipatory bail.

7. Let the petitioner be released on bail, in the event of his 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) with two sureties of the like amount each in connection with Bariyarpur P.S. Case No. 76 of 2025 to the satisfaction of learned Exclusive Special Judge Excise-I, Muzaffarpur 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 petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner 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 his bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark his



attendance;

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

(iv) the petitioner 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.

(Rajiv Roy, J)

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