

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65037 of 2025

Arising Out of PS. Case No.-18 Year-2024 Thana- KARPURIGRAM District- Samastipur

Ram Balak Ray S/o- Jageshwar Ray @ Jugeshwar Ray Village- Ward No 7
Baghi PS- Karpurigram Distt-Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Khushi Awadh, Adv.

For the Opposite Party/s : Mr. Chandra Bhushan Prasad, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 24-09-2025 Heard Mr. Khushi Awadh, learned counsel for the

petitioner and Mr. Chandra Bhushan Prasad, learned APP for the

State.

2. The petitioner apprehends his arrest in connection with Karpurigram P.S Case No. 18 of 2024 dated 21.02.2024 registered for the offences punishable under sections 143, 447, 379,384, 504 and 506/34 of the Indian Penal Code and Sections 25(1-B)(a), 27 and 35 of the Arms Act and Section 30(a) of the Bihar Prohibition & Excise (Amendment) Act, 2022 (in short 'Excise Act').

3. The main submissions advanced by the petitioner's counsel are that the commission of the alleged offences punishable under the Arms Act, Excise Act and IPC is said to have taken place on a particular land and the informant,



who is a private person is claiming his own title and possession over the place of occurrence while on the other hand, one Dinesh Kumar who is co-accused in this matter is also claiming his own right, title and possession over the same land and in the FIR, altogether 10 named accused persons and 10-15 unknown persons are alleged as being involved in the commission of alleged offences and the FIR clearly shows that the informant was not an eye-witness to the occurrence.

It is further submitted that though petitioner's name finds place in the FIR but from his possession, no any kind of incriminating material such as firearm or liquor has been recovered and without disclosing any specific role of him in the commission of alleged offences, he has been made accused. It is lastly submitted that the petitioner has no criminal antecedent and the alleged offences under the Excise Act are not attracted, even prima facie, against him as the seized liquor is alleged to have been recovered from the possession of co-accused Satish Kumar, hence the petitioner's prayer is not hit by the provisions of Section 76(2) of the Excise Act.

4. Learned APP appearing for the State has opposed the prayer of the petitioner.

5. In the facts and circumstances of this case and



considering the above stated facts and coupled with the petitioner's fair and clean antecedent, this Court is inclined to grant the relief of anticipatory bail to the petitioner. Accordingly, let the petitioner named-above, 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 bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the Court concerned in connection with Karpurigram P.S Case No. 18 of 2024, subject to the conditions as laid down under Section 482(2) of the BNSS.

(Shailendra Singh, J)

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