

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65044 of 2025

Arising Out of PS. Case No.-59 Year-2022 Thana- DORIGANJ District- Saran

Praveen Kumar @ Praveen Kumar Ray @ Praveen Son of Navlesh Ray
Resident of Village- Dhenuki Kochwara Ps -Dariyapur Distt -Saran

... .. Petitioner/s

Versus

The State of Bihar bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhananjay Kumar Tiwary, Adv.
For the Opposite Party/s : Mr. Bharat Bhushan, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 25-09-2025 Heard learned Counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in connection with Doriganj P.S. case No. 59 of 2022 for the offence registered under sections 30(a), 32(2)(3), 38 of the Bihar Prohibition and Excise Act, 2016.

3. As per the prosecution story, the Police intercepted a Bolero vehicle and recovered/seized 200 liter country made liquor. Birbal Rai and Shailesh Rai were arrested which led to the FIR.

4. Learned Counsel for the petitioner submits that only because he being the owner, got implicated. He do not have criminal antecedent and the driver had taken the vehicle which got involved in this liquor.



5. Learned APP for the State, on the other hand, opposes the prayer for anticipatory bail submitting that he owns the vehicle.

6. Considering the submissions of the parties as also the fact that the petitioner has no criminal antecedent nor anything recovered from his conscious possession, in that background, this Court is inclined to grant him the anticipatory bail with conditions.

7. However, if it is found that contrary to the statement made in paragraph 3, the petitioner has criminal antecedent, the present order shall become infructuous.

8. Let the petitioner in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Court No. 03, Saran at Chhapra in connection with Doriganj P.S. case No. 59 of 2022 subject to condition as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family members/relatives of the petitioner, who shall provide official document to show his *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 attendance and at the end of the period, the certificate be submitted to the Court;

(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 the bail bonds.

(Rajiv Roy, J)

Vijay Singh/-

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