

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67629 of 2025

Arising Out of PS. Case No.-52 Year-2025 Thana- Excise P.S. District- Patna

Niranjan Rai @ Niranjan Yadav Son of Chhatthu Bhagat R/o Village - Nand Lal Chappra, P.S.- Ramkrishnanagar, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Thakur, Adv.
Mrs. Vaishnavi Singh, Adv.
Mr. Ritwik Thakur, Adv.

For the Opposite Party/s : Mr. Dr. Kumar Uday Pratap, 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 Excise P.S. Case No. 52 of 2025 for the offence registered under sections 30(a), 56(b), 32(1)(3), 36 and 41(1)(2) of the Excise Act.

3. As per the prosecution story, the Police on secret information, raided the house and there is recovery/seizure of 60 liter spirit, 100 liter foreign liquor, 3.060 liter whiskey and the locals informed that Manikant, Md. Amir Raja and Akash Kumar Gupta are involved in the crime. Petitioner being the owner of the house, FIR lodged against him.

4. Learned Counsel for the petitioner submits that he



entered into tenancy agreement with the accused persons and had nothing to do with the alleged recovery, only because of criminal antecedent, got implicated.

5. Learned APP for the State, on the other hand, opposes the prayer for anticipatory bail submitting that the petitioner has criminal antecedent.

6. Considering the submissions of the parties as also that Annexure-2 reflects the tenancy agreement between Niranjana Rai and Manikant. FIR lodged, he will be facing the music, in that background, this Court is inclined to grant him the anticipatory bail with conditions.

7. 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 Special Judge Excise-III, Patna in connection with Excise P.S. Case No. 52 of 2025 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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