

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70704 of 2025

Arising Out of PS. Case No.-102 Year-2025 Thana- ANGARGHAT District- Samastipur

Raj Kumar Poddar Son of Shri Ram Sagar Poddar R/o Village - Jitwariya,
Ward No., 08, P.S. - Kalyanpur, District - Samastipur.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 70764 of 2025

Arising Out of PS. Case No.-102 Year-2025 Thana- ANGARGHAT District- Samastipur

Deepak Ray @ Deepak Kumar @ Deepak Kumar Ray S/O Umesh Ray
Rresident of Ward no 6 Darhia Asadhar Dadhiya Asadhar, P.S.- Angarghat,
District- Samastipur, Bihar

... .. Petitioner/s

Versus

The State Of Bihar Patna

... .. Opposite Party/s

Appearance :
(In CRIMINAL MISCELLANEOUS No. 70704 of 2025)
For the Petitioner/s : Mr.Anant Kumar Mishra, Advocate
For the Opposite Party/s : Mr.Jitendra Kumar Singh, APP
(In CRIMINAL MISCELLANEOUS No. 70764 of 2025)
For the Petitioner/s : Mr.Keshav Bhardwaj, Advocate
For the Opposite Party/s : Mr.Bharat Bhushan, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 14-10-2025 Heard the parties.

2. The petitioners are apprehending arrest in connection with Angharghat P.S. Case No. 102 of 2025 instituted under Sections 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2022 lodged on24.08.2025 by the informant, Himanshu Kumar.



3. As per the prosecution story, the informant alleged that on secret information, the Police intercepted two vehicles (Pick Up Van/Motorcycle), one person Ashok Yadav was arrested and there is recovery/seizure of 371.5 liters of foreign liquor. Ashok Yadav gave the name of other persons, as Santosh and Deepak Rai which led to the FIR.

4. Subsequently, during the investigation, it was found that the Bolero belongs to the petitioner, Raj Kumar Poddar and which necessitated filing the filing of the present anticipatory bail application.

5. It is the case of the petitioner that only because of he being the owner, got implicated. Neither he was on the spot nor has criminal antecedent. The driver took away the vehicle and he had no knowledge about carrying of the liquor.

6. So far as the petitioner, Deepak Ray is concerned, submission is that he has been named by the arrested person but neither of the two vehicles belong to him.

7. Last submission is that both the petitioners irrespective of the outcome of the present case and/or accepting the allegation, intend to contribute Rs.15,000/- each (totalling Rs.30,000/-) to the District Legal Services Authority, Samastipur for the beautification of the Civil Court Campus/



purchase of flower pots/installation of Sanitary Vending Machine for Civil Court Campus, Samastipur through Demand Draft issued by the local branch of the State Bank of India/any Nationalized Bank and the receipt of the expenditure be submitted before the Trial Court by the DLSA.

8. Learned APPs, Mr. Jitendra Kumar Singh and Mr. Bharat Bhushan opposes the prayer submitting that while one of the petitioner owns the vehicle, the other has criminal antecedent.

9. Taking into account the submissions of the parties as also that Ashok Yadav was arrested alongwith the liquor, nothing have recovered from the conscious possession of these two petitioners, FIR is there, both will face the music, in that background, this Court is inclined to extend them the privilege of anticipatory bail subject to payment of Rs.15,000/- each by both of them (totalling Rs.30,000/-) as undertaken by the petitioners through the learned counsel to the District Legal Services Authority, Samastipur for the beautification of Civil Court Campus/purchase of the flower pots/installation of Sanitary Vending Machine for Civil Court Campus, Samastipur through Demand Draft issued by the local branch of the State Bank of India/any nationalized bank as undertaken by the



learned counsel for the petitioners and the receipt of the expenditure to be submitted before the Trial Court.

10. 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 Angharghat P.S. Case No. 102 of 2025 to the satisfaction of learned Exclusive Special Judge, Excise-1st, Samastipur 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 his/her 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 co-operate in the investigation and make themselves available to the police as and when required;

(iv) the petitioners shall appear before the concerned



police station every fortnight for next six months to mark their attendance;

(v) 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;

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

8. Let a copy of this order be communicated to the learned Principal District and Sessions Judge, Samastipur for his perusal and needful.

(Rajiv Roy, J)

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