

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71440 of 2025

Arising Out of PS. Case No.-58 Year-2024 Thana- VAINI District- Samastipur

Rajesh Kumar Ray @ Rajesh Rai S/O Baleshwar Ray R/O Village- Kajiya,
Police Station- Tajpur Waini, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjan Kumar, Advocate

For the Opposite Party/s : Mr. Uday Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 09-10-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. Petitioner seeks regular bail in a case registered
under Section 30(a) of the Bihar Prohibition and Excise Act.

3. There is recovery of 777.600 litres illicit liquor
from the magic van. It is alleged that on seeing the police party,
three motorcyclists and other persons sitting in the magic van
succeeded in fleeing away.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has been falsely implicated in this
case. Petitioner was neither arrested on the spot nor he was the
driver or owner of the seized vehicles. Nothing has been
recovered from conscious possession of the petitioner. Except
secret information, there is nothing material against the



petitioner. Similarly situated co-accused persons, namely, Dhiraj Kumar Rai @ Dhiraj Kumar and Jitendra Kumar @ Jitendra Sah have been granted anticipatory bail by coordinate Benches of this court vide orders dated 27.02.2025 and 07.03.2025 passed in Cr.Misc.No.14141 of 2025 and Cr.Misc.No.10962 of 2025. Petitioner has no concern with the seized liquor. Petitioner has three criminal antecedents of similar nature in which he is on bail. Petitioner is in jail since 01.09.2025 and he undertakes to cooperate in the investigation and trial.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case, the submissions of the parties and period of custody, let the above named petitioner be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Samastipur in connection with Tajpur Waini P.S. Case No.58 of 2024 subject to the following conditions:

(i) The petitioner shall appear on each and every date before the learned Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the learned Trial Court itself;



(ii) The petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidence, failing which the State shall be at liberty to take steps for cancellation of the bail bond;

(iii) The petitioner shall desist from committing any such criminal offence again, failing which the State shall be at liberty to take steps for cancellation of bail bond.

(Sunil Dutta Mishra, J)

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