

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74641 of 2025

Arising Out of PS. Case No.-152 Year-2025 Thana- PARSA District- Saran

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Budhan Rai @ Anand Rai @ Anand Kumar Ray S/O Mahendra Ray @
Mahendra Rai R/o Village- Anaiyay, P.S.- Parsa, District- Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Avinash Kumar Pandey, Advocate

For the Opposite Party/s : Mr. Abhay Kumar Roy, APP

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**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 17-10-2025 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with Parsa
PS Case No. 152 of 2025 instituted for the offences under
Section 30(a) the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total 270
litres of country made liquor was recovered from bush near
puliya.

4. Learned counsel for the petitioner submit that the
petitioner is innocent and has falsely been implicated in the
present case. No incriminating material has been recovered from
the conscious possession of the petitioner. The petitioner has got
no concern with the alleged recovery of liquor. It is submitted



that recovery is made from an open place, which is accessible to one and all. The petitioner is in custody since 19.08.2025, having two criminal antecedents. There is no compliance of Section 103 of B.N.S.S. Other co-accused has been granted bail by this Court vide order dated 30-07-2025, passed in Cr. Misc. No. 49502 of 2025.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, claim based on parity and the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs.15,000/- (Five thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Parsa PS Case No. 152 of 2025, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the



bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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