

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.79136 of 2025**

Arising Out of PS. Case No.-54 Year-2025 Thana- MOHIUDDIN NAGAR District-  
Samastipur

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Dharamraj Ray @ Dharamraj Kumar Son of Dinkar Ray Resident of Village -  
Hanuman Nagar, Ward No. 7, Police Station -Mohiuddinnagar, District -  
Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Shashank Shekhar, Advocate  
For the Opposite Party/s : Mr. Akbar Ali, APP

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**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**  
**ORAL ORDER**

2      08-12-2025                      Heard learned counsel for the petitioner and learned  
APP for the State.

2. Petitioner apprehends his arrest in a case  
registered for the offence punishable under Section 30(a) of  
Bihar Prohibition and Excise Act, 2018.

3. Learned counsel for the petitioner submits that  
petitioner has antecedent of one case and allegation is of  
recovery of 21.90 litres of liquor from a bamboo orchard. It is  
next submitted that petitioner was not arrested from the spot, as  
such, nothing was recovered from his conscious possession and  
even alleged recovery is from a place which does not belong to  
the petitioner and is accessible to villagers at large and he came  
to be implicated at the instance of *Chowkidar* with whom he is



on an inimical term.

4. Learned A.P.P. opposes the anticipatory bail application.

5. Considering the submissions made by the learned counsel for the petitioner, the petitioner, above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on provisional anticipatory bail on his furnishing bail-bond in the sum of Rs.5,000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise-II, Samastipur in connection with Mohiuddinnagar P.S. Case No.54 of 2025, subject to the conditions laid down under Section 482(2) of the B.N.S.S.

6. The application stands allowed.

7. It is made clear that the learned trial Court after accepting the provisional bail bonds of the petitioner shall verify the criminal antecedent of the petitioner and in the event, if it is found that petitioner has antecedent of more than one case, then it would be presumed that petitioner for the purposes of obtaining anticipatory bail had concealed his antecedent before this Court, in that event, the present provisional anticipatory bail order shall not be confirmed, but if on verification, it is found



that petitioner has antecedent of only one case, in that event, the  
provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

*Sanjay/-*

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