

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.82556 of 2025**

Arising Out of PS. Case No.-74 Year-2025 Thana- SHIVAJINAGAR District- Samastipur

Raja Ray @ Rajaram Ray @ Raja Ram Roy Son of Shri Parmanand Ray  
Resident Of Village - Chanda, Po- Chanda, Ps- Shivanjinagar, Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

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

For the Opposite Party/s : Mr. Shyam Bihari Singh, APP

**CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR**  
**ORAL ORDER**

2      10-12-2025      Heard learned counsel for the petitioner and learned  
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Shivajinagar P.S. Case No.74 of 2025, F.I.R dated 26.09.2025 registered for the offences punishable under Sections 30(a) and 41(a) of the Bihar Prohibition and Excise Amendment Act, 2018 and Sections 336(3), 274, 275 and 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. As per the prosecution case, on 25.09.2025, a police officer received secret information that the petitioner and about twenty others were involved in trading illicit liquor from an orchard in village Parsa. Acting on this tip-off, the police conducted a raid. On seeing the police, the accused persons, including the petitioner, fled under the cover of darkness.



During the search of the location, the police recovered 1330.2 litres of illicit liquor from a pickup vehicle (Reg. No. BR31 G7338).

4. Learned counsel for the petitioner submits that the seized article is said to have been recovered from the pick-up van which was located in an open space in an orchard and the petitioner is not the owner or the driver of the said vehicle and the seized article is in no way connected to the petitioner. It has next been submitted that the name of the petitioner has transpired on the basis of secret information which is said to have been received from the village chowkidaar with whom the petitioner has inimical relation and that there was no independent witness to the seizure list, thereby violating the mandatory provisions of Section 103 of BNSS. It has next been submitted that there is one criminal antecedent, which is akin to the instant case, which is said to have been lodged after registration of the said case.

5. Learned APP for the State opposes the prayer for anticipatory bail application.

6. Regard being had to the submission made by the parties, taking into consideration the fact that illicit liquor has not been recovered from the constructive possession and / or



premises belonging to the petitioner and the petitioner is in no way connected with the seized articles and his name has transpired on the basis of secret information by a village chowkidaar, accordingly, this Court is inclined to grant anticipatory bail to the petitioner.

7. Let the petitioner, above named, be released on anticipatory bail in the event of arrest or surrender before the court below within a period of four weeks from today on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge 1<sup>st</sup> Excise, Samastipur, in connection with Shivajinagar P.S. Case No.74 of 2025 subject to the condition as laid down under Section 482(2) of the B.N.S.S., 2023.

**(Ajit Kumar, J)**

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