

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84167 of 2025

Arising Out of PS. Case No.-527 Year-2025 Thana- MALSALAMI District- Patna

Suraj Kumar Son of Vishun Ray @ Vishun Dev Ray R/o- Adaraghat,
Marufganj, P.S.- Malsalami, Distt.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Ram Sumiran Rai, APP

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 17-12-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Malsalami P.S. Case No.527 of 2025, F.I.R dated 10.10.2025 registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Amendment Act, 2018.

3. As per the prosecution case, on 10.10.2025 at about 22:30 hours, while near Patharghat on the river bank, two persons fled on seeing the police party. Upon search, 210 litres of country-made wine was recovered from the spot, kept in four jute bags and one plastic bag. Local inquiry revealed the absconding persons to be Ratan Ray and Suraj Kumar, and a



seizure list was prepared accordingly.

4. Learned counsel for the petitioner submits that the place of recovery is from the bank of river Ganges, which is an open space and is accessible to general public. The name of the petitioner has transpired on the basis of statement made by the local persons. The petitioner is in no way connected with the seized materials. The petitioner has clean antecedent.

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 petitioner is in no way connected with the seized materials and the petitioner has clean antecedent, 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 Court of Excise, Patna City, Patna, in



connection with Malsalami P.S. Case No.527 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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