

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84256 of 2025

Arising Out of PS. Case No.-295 Year-2025 Thana- RAJAPAKAR District- Vaishali

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Amitabh Ray @ Amitabh Bachchan @ Amitabh Bachchan Rai, S/o Upendra Ray, R/o Village - Terasiya, P.S - Ganga Bridge, District – Vaishali.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Anish Kumar, Advocate
For the State : Mr. Bharat Bhushan, APP

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CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 17-12-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The present petition has been filed on behalf of the petitioner, apprehending his arrest, in connection with Rajapakar (Barati) PS. Case No.295 of 2025 dated.23.08.2025, registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

3. As per allegation, 4814.18 liter of illicit liquor has been recovered from a tanker bearing registration no. NL02N5098 standing on the road at a distance of 50 meters from the police checking van. It is further case of the prosecution that as per secret information that liquor was being brought by the Petitioner and other co-accused Dharmendra Nath Rai. It is also the case of the prosecution that the driver of



the tanker has already fled away seeing the police and the recovery of the illicit liquor was made from the tanker.

4. Learned counsel for the petitioner submits that the Petitioner is innocent and has falsely been implicated in this case on suspicion on account of his criminal antecedent. He further submits that he was neither the driver nor owner of the tanker involved in the alleged offence nor was he present there. He also submits that he has nothing to do with the alleged offence.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the petition that the petitioner has been made accused in ten other cases in all the cases he is on bail.

7. However, learned APP for the State vehemently opposes the prayer of the Petitioner for bail.

8. Considering the fact that no *prima facie* case is made out against the Petitioner, **this petition is allowed**, directing the petitioner, above-named, to be enlarged on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a



copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned concerned Court below, in connection with Rajapakar PS. Case No.295 of 2025, subject to the conditions as laid down under Section 482 (2) of the B.N.S.S., 2023 and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioner has criminal antecedents other than the disclosed one, learned court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, learned court below shall cancel the bail bonds of the petitioner.

(Jitendra Kumar, J.)

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