

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1092 of 2025

Arising Out of PS. Case No.-225 Year-2024 Thana- BIHIA District- Bhojpur

Raj Kishor Ray S/O Muni Lal Ray R/O vill.- Nargada, P.S- Krishnagarh,
Dist.- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar Singh, Advocate

For the Opposite Party/s : Mr.Ajay Kumar No. 2, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

3 30-04-2025 1. Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner apprehends his arrest in connection with Bihia P.S. Case no.225 of 2024 registered under section 30(a) of the Bihar Prohibition and Excise Amendment Act, 2022.

3. As per the prosecution case, the informant states that on seeing police personnel three accused tried to mangle to escape but one of them was apprehended at the spot who disclosed his name as Niraj Kumar. On search, a total of 80 liters of country made liquor is said to have been recovered from the Splender Motor vehicle bearing Registration No. BR03AL8217.

4. Learned counsel for the petitioner submits the



petitioner has been falsely implicated in the case only for the reason that he happens to be the registered owner of the said vehicle. However, learned counsel for the petitioner further stated in paragraph no. 10 to the petition that accused Niraj Kumar borrowed his motorcycle from the petitioner requesting that he had to go to market to buy some articles and hence, the petitioner has no knowledge that his vehicle was put to some illegal use. No recovery has been made from physical or conscious possession of the petitioner. Learned counsel for the petitioner further submits that accused Niraj Kumar who was apprehended at the spot has already been granted regular bail vide order dated 12.09.2024 passed in Cr. Misc. No. 63702 of 2024. The petitioner has no criminal antecedent and undertakes to cooperate in the case/trial.

5. The application for anticipatory bail is opposed by learned A.P.P. for the State.

6. In view of the aforesaid facts of the case, it is directed that the petitioner, above named, in the event of his arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Bihia P.S. Case no.225 of 2024 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two



sureties of the like amount each to the satisfaction of the learned
Exclusive Special Excise Court-I, Bhojpur at Ara, subject to the
condition laid down under Section 438(2) of the Code of
Criminal Procedure/Section 482(2) of the B.N.S.S, 2023.

(Soni Shrivastava, J)

Harsh/-

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