

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.88605 of 2025

Arising Out of PS. Case No.-202 Year-2025 Thana- NAYAGAON District- Saran

Rambhu Ray @ Rambhu Kumar S/O Tarkeshwar Ray Resident of Village -
Bariarchak, P.S- Nayagaon District Saran At Chapra (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rakesh Kumar, Adv.

For the Opposite Party/s : Mr.Mukesh Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 22-12-2025 Heard Mr. Rakesh Kumar, learned counsel for
the petitioner and learned APP for the State.

2. The petitioner is apprehending his arrest in connection with Nayagaon P.S. Case No. 202 of 2025 for the offence punishable under sections 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2022 lodged on 28.09.2025 by the informant, Deepak Kumar.

3. There has been recovery of 80 litres of illicit country made liquor at village, Chhitupakar. Accordingly, the FIR.

4. Learned counsel for the petitioner submits that nothing incriminating has been recovered from the constructive possession of the petitioner rather the recovery of the illicit liquor is said to have been made from the river Ganges near the village, Chhitupakar and the name of the petitioner has



transpired only the basis of his antecedent. However, the petitioner is ready to abide by the conditions as imposed by this Court.

5. Learned APP opposes the prayer for anticipatory bail submitting that the petitioner has got one antecedent akin to the present case of excise.

6. Considering the fact that the recovery has not been made from the constructive possession of the petitioner rather it was said to have been made from the river Ganges near the village, Chhitupakar and the name of the petitioner has transpired only the basis of his antecedent, this Court is inclined to extend him the privilege of anticipatory bail.

7. Let the petitioner, above named, be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned 2nd Exclusive Special Judge-Excise, Saran at Chapra in connection with aforesaid PS Case, subject to the conditions as laid down under Section 482(2) of the BNSS as well as the following conditions:-

(i) one of the bailors should be the family member/relative of the petitioner(s) who shall provide official document to show



his/her bona fide;

(ii) the petitioner(s) shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of their/his bail bond by the Trial Court itself;

(iii) the petitioner(s) shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioner(s) shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his/their bail bonds.

(Ajit Kumar, J)

perwez

U		T	
---	--	---	--

