

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.88540 of 2025

Arising Out of PS. Case No.-274 Year-2025 Thana- RAGHOPUR District- Vaishali

1. Ravi Kumar @ Rabi Kumar @ Ravi Rai son of Naresh Ray Resident of village- Sukumarpur, P.S.- Raghopur (Rustampur O.P.), District- Vaishali
2. Rajendra Rai Son of Vashisht Ray @ Washishth Ray Resident of village- Sukumarpur, P.S.- Raghopur (Rustampur O.P.), District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravish Mishra,Adv.

For the Opposite Party/s : Mr.Khurshid Anwar, APP

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR

ORAL ORDER

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

2. The petitioners are apprehending their arrest in connection with Raghopur P.S. Case No. 274 of 2025 for the offence punishable under sections 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2022 and Sections 274/275(5) of the BNS, 2023 lodged on 08.10.2025 by the informant, Deepak Kumar.

3. As per the prosecution case, there has been recovery of 90 litres of illicit liquor kept in two gallons from Jafrabad Tok near the Ganges. Accordingly, the FIR.

4. Learned counsel for the petitioners submits that the recovery of the illicit liquor is said to have been made from the



bank of the Ganges river and the name of these petitioners have been implicated on the basis of statement of *Chaukidar* and they have got no connection with the seized articles. It has further been submitted that petitioner no.1 has got no criminal antecedent while petitioner no. 2 has got one criminal antecedent related to Rahapur PS Case No. 08/2023 in which, he is on bail.

5. Learned APP opposes the prayer for anticipatory bail.

6. Considering the fact that the recovery has not been made from the constructive possession of these petitioners and the place from where the seizure is said to have been, is accessible to each and every one, this Court is inclined to extend them the privilege of anticipatory bail.

7. Let the petitioners, 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) each with two sureties of like amount each to the satisfaction of learned Exclusive Special Excise Court (Second)-cum- Additional District and Sessions Judge, Vaishali at Hajipur 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)

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