

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.89014 of 2025

Arising Out of PS. Case No.-509 Year-2025 Thana- VAISHALI District- Vaishali

Sanjiv Ray, aged about 38 years (Male), Son of Jiyalal Ray @ Jiyalal Prasad
Yadav, R/o Vill.- Mohammadpur, Police Station-Paroo, District - Muzaffarpur

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Anish Kumar, Advocate
For the Opposite Party : Mr. Tapeswar Sharma, A.P.P.

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 23-12-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner apprehends arrest in connection with
Vaishali P.S. Case No. 509 of 2025 dated 15.07.2025, instituted
under Section 30(a) of the Bihar Prohibition and Excise
(Amendment) Act, 2022.

3. The allegation is of recovery of 6420.24 litres of
foreign liquor from a Truck bearing Registration No. NL01AC-
6717 and from a Pick-up Van bearing Registration No.
BR06CF-6246.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and he has been falsely implicated in the
present case. It is further submitted that no incriminating articles
have been recovered from the conscious possession of the



petitioner or from his house. The petitioner is neither the owner nor the driver of the said vehicle. It is next submitted that the petitioner has been made an accused in this case merely on the basis of his past criminal antecedents and he has no concern with the alleged occurrence. The petitioner's name appears in the FIR based on information gathered from local people of the vicinity. However, the source or statement on which the petitioner has been implicated has not been disclosed. It is further submitted that the petitioner has 23 criminal cases pending against him, in almost all of which he is on bail, except in Paroo P. S. Case No. 417 of 2025.

5. Learned A.P.P. has opposed the prayer for bail.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Court 02nd -cum-Additional District and Sessions Judge, Vaishali at Hajipur, in Vaishali P.S. Case No. 509 of 2025, subject to the conditions laid down in Section 482 (2) of the *Bhartiya Nagarik Suraksha Sanhita*, 2023 and



further (i) that the petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the court below, (ii) that one of the bailor will be his own blood relation, preferably father, mother, brother, sister and or his wife, (iii) that the bailor shall also state on affidavit that he will inform the court concerned if the petitioner is made accused in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse, (iv) that if the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail and (v) that the petitioner will appear before the SHO of concerned PS in the first week of each month till conclusion of trial.

7. The application stands allowed.

(Khatim Reza, J)

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