

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10827 of 2026

Arising Out of PS. Case No.-481 Year-2025 Thana- Excise P.S. District- Araria

Gulesh Ray S/o Late Mishri Lal Ray R/o vill - Chakaradaha, ward no. 14,
P.S.- Narpatganj, Distt.- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Kishore Bharti, Adv

For the Opposite Party/s : Mr. Kumar Ranjit Ranjan, APP

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR SINHA
ORAL ORDER

2 17-02-2026 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Araria Excise P.S. Case No. 481 of 2025, registered for the offence punishable under Sections 30(a) of Bihar Prohibition and Excise (Amendment) Act, 2018.

3. The case of the prosecution, in short, is that on 23.12.2025, the informant along with a raiding team, was checking vehicles on the road coming from Chakdaha Santhal Tola under Narpatganj Police Station. During this operation, when a motorcycle was pointed out, it attempted to flee. However, with the help of the police, it was apprehended. The apprehended person identified himself as Vishnu Kumar Rai. Subsequently, 12 liters of illicit liquor was recovered from a



sack tied to the rear seat of the said motorcycle, for which a seizure list was prepared.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. He further submits that the petitioner has been implicated because he is the owner of the seized vehicle. Nothing has been recovered from the conscious physical possession of the petitioner. He further submits that the petitioner has no criminal antecedent.

5. Learned A.P.P. for the State opposes the prayer of anticipatory bail.

6. Considering the fact that no recovery has been made from the conscious physical possession of the petitioner and he has simply been implicated because he is the owner of the seized vehicle and also taking into account the fact that the petitioner has clean antecedent, this Court is inclined to grant privilege of anticipatory bail to the petitioner.

7. Let the petitioner, named above, in the event of his arrest or surrender before the Court below within four weeks from today, be released on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned District and Additional



Session Judge-cum-Exclusive Special Excise Judge-II, Araria in connection with Araria Excise P.S. Case No. 481 of 2025, subject to the conditions laid down under section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023 as also further condition that:-

(i) the petitioner shall co-operate in the investigation/trial.

(ii) the learned Court would, however, verify the criminal antecedent of the petitioner and in case it is found that the petitioner has concealed his criminal antecedent, the Court below shall take step for cancellation of bail bond of the petitioner. However, it is expected that the verification process would be done expeditiously without causing any delay.

(Alok Kumar Sinha, J)

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