

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16571 of 2026

Arising Out of PS. Case No.-211 Year-2025 Thana- AURAI District- Muzaffarpur

Sudhar Ray S/o Sewak Ray Resident of Village- Dhasna, P.S.- Aurai, District-
Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Hemant Kumar, Advocate

For the Opposite Party/s : Mr. Pradeep Narain Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 13-03-2026 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner apprehends his arrest in connection
with Aurai PS Case No. 211 of 2025 instituted for the offences
under Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total 816.48
litres of liquor was recovered from a pickup van.

4. Learned counsel for the petitioner submitted that
the petitioner has falsely been implicated in the present case.
The name of the petitioner transpired in this case on the basis of
disclosure made by apprehended co-accused person. The
petitioner has got no concern with the alleged recovery of
liquor. The petitioner has four (4) criminal antecedents. There is



no compliance of Section 103 of the Bharatiya Nagarika Suraksha Sanhita, 2023. Learned counsel for the petitioner, therefore, contends that prima-facie no case is made out against the petitioner.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner. It is fervently submitted that petitioner bears four (4) criminal antecedent/s that too of the similar nature, hence, he does not deserve the privilege of anticipatory bail.

6. Considering the aforesaid facts and circumstances of the case as also taking into account the fact that petitioner bears four (4) criminal antecedents of the similar nature, this Court is not inclined to grant anticipatory bail to the petitioner. Prayer for grant of anticipatory bail is hereby *rejected*.

7. However, if the petitioner surrenders before the court below within a period of four weeks from today and prays for regular bail, the same would be considered by the court below in accordance with law without being prejudiced by the order of this Court.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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