

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21019 of 2026

Arising Out of PS. Case No.-164 Year-2019 Thana- AWTARNAGAR District- Saran

Bhuneshwar Ray S/O Baijnath Ray Resident of Village- Santha P.S.- Awtar
Nagar, District- Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner : Mr. Gajendra Nath Ojha, Advocate
For the State : Mr. Umesh Lal Verma, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 05-05-2026 Heard learned counsel appearing on behalf of the
petitioner and learned A.P.P. appearing on behalf of the State.

2. The petitioner apprehends his arrest in a case
registered for the offence punishable under Sections 30, 30(a)
and 38 of the Bihar Prohibition and Excise Act.

3. As per prosecution case, 25.200 litres illicit foreign
liquor was recovered from the seized motorcycle.

4. It is submitted by learned counsel for the petitioner
that petitioner is quite innocent and has committed no offence.
Petitioner is neither owner nor driver of the vehicles in question.
No incriminating article has been recovered from conscious
possession of this petitioner and has been made an accused in
this case merely on suspicion. Petitioner has got one criminal



antecedent of similar nature in which he is already on bail.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioner.

6. Considering the nature of accusation and the fact that no incriminating article has been recovered from conscious possession of this petitioner, the prayer for grant of anticipatory bail to the petitioner is allowed.

7. Accordingly, in the event of arrest/surrender within a period of eight weeks from today, let the above named petitioner be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned 1st Special Judge Excise Judge, Saran in connection with Awtar Nagar P.S. Case No. 164 of 2019, subject to condition as laid down under Section 482(2) of the B.N.S.S..

(Prabhat Kumar Singh, J)

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