

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26896 of 2026

Arising Out of PS. Case No.-217 Year-2026 Thana- MADHAURAH District- Saran

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Pradeep Rai @ Pradip Kumar son of Birendra Ray Resident of Village-
Bhualpur, Ps- Marhowrah, Dist- Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Dewendra Narayan Singh, Advocate

For the Opposite Party/s : Ms.Asha Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 22-04-2026 Heard learned Counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending arrest in connection with Marhowrah P.S. Case No. 217 of 2026 registered on 13.03.2026 for the offences punishable under Sections 338, 336(3), 304(2) of the B.N.S., 2023 and Sections 30(a), 41(1), 33, 34 of the Bihar Prohibition and Excise (Amendment) Act, 2022.

3. As per prosecution, total recovery of 800 liters illicit liquor is the subject matter of the present case.



4. It is submitted by the learned counsel for the petitioner that the petitioner is innocent and has committed no offence. Nothing has been recovered from the conscious physical possession of the petitioner, the name of petitioner has come in the present case only on the ground of confessional statement of co-accused. The petitioner has no concern either with the alleged liquor or with the Scorpio from which the alleged recovery was made. Though the petitioner is accused in four more criminal cases, but in all the cases he has been granted bail.

5. Learned APP for the State opposes the prayer for bail of the petitioner and submits that the antecedent of the petitioner is not clean as he is accused in four more criminal cases and out of four, three cases are under Excise Act.

6. In this background, this Court is not inclined to grant bail to the petitioner. Accordingly, the prayer for bail of the petitioner in connection with the aforesaid case, pending before the learned Exclusive Special Excise Judge-2, Saran at Chapra is hereby rejected.

7. However, if the petitioner surrenders before the learned Trial Court within a period of four weeks from today, the Trial Court is directed to consider and pass an order on his



surrender-cum-bail application on the same day, in accordance with law without being prejudiced by the rejection of the petitioner’s anticipatory bail by this Court.

(Dr. Anshuman, J)

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