

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26873 of 2026

Arising Out of PS. Case No.-1443 Year-2025 Thana- SITAMARHI District- Sitamarhi

Ram Kripal Ray S/o Late Ram Ashish Ray R/o Village- ward no. 6,
Sonbarasa @ Sonbarsa, P.S. - Sonbarsa, Dist. - Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Syed Mojibur Rahman, APP

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 Prohibition P.S. Sitamarhi Case No. 1443 of 2025, dated 25.11.2025, lodged under Sections 30(a) & 32(3) of the Bihar Prohibition and Excise (Amendment) Act, 2022.

3. As per the prosecution, total recovery of 142.500 litres of illicit liquor has been made, which is the subject matter of the present case.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He further submits that nothing has been recovered from the possession of the petitioner. He also submits that the petitioner is not named in the FIR, and his name has figured in this case merely on the



basis of ownership of the alleged vehicle. However, the petitioner has stated in paragraph 13 of the bail application that one of his relatives had borrowed the petitioner's motorcycle for medical treatment. Furthermore, he submits that the criminal antecedent of the petitioner is clean.

5. Learned APP for the State opposes the prayer for bail of the petitioner.

6. As such, in the present facts and circumstances of this case, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the Trial Court within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) as mentioned in Section 2(1)(d) of the BNSS, 2023 to the satisfaction of Exclusive Special Excise Court No. 2, Sitamarhi, in connection with Prohibition P.S. Sitamarhi Case No. 1443 of 2025, subject to the conditions as laid down U/s 482(2) of the BNSS, 2023 with other following conditions:-

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his *bona fide*;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates



without plausible reason will entail
cancellation of his bail bonds by the Trial
Court itself.

7. It is further directed that the Trial Court shall verify
the criminal antecedent of the petitioner, and in case it is found
at any stage that the petitioner has concealed his criminal
antecedent, the Trial Court shall take steps for cancellation of
the petitioner’s bail bond. However, the acceptance of the bail
bond in terms of the above-mentioned order shall not be delayed
for the purpose of or in the name of verification.

(Dr. Anshuman, J.)

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