

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32556 of 2026

Arising Out of PS. Case No.-260 Year-2025 Thana- RAGHOPUR District- Vaishali

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Awdesh Ray @ Awadhesh Ray, S/o Beni Rai @ Beni Lal Rai, R/o Village-
Jafrabad paya no.3, P.S- Rustampur, Dist- vaishali, At present Residing
Village- Vishnu Mandir, Fatehjarangpur, P.S.- Nadi, Distt.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jay Ram Prasad, Advocate

For the Opposite Party/s : Mr. Rana Randhir Singh, APP

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CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 13-05-2026 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in connection with
Raghopur P.S. Case No. 260 of 2025 dated 19.09.2025,
instituted for the offence punishable under Sections 274, 275,
3(5) of the Bharatiya Nyaya Sanhita, 2023 and Section 30(a) of
Bihar Prohibition & Excise Amendment Act, 2022.

3. The allegation is of recovery of 75 litres country
made liquor from the Bank of Ganga River.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and he has been falsely implicated in this
case. It is further submitted that nothing has been recovered
either from the conscious possession or from the house of the



petitioner. It is next submitted that the seized illicit liquor was recovered from Bank of Ganga River which is an open place and accessible to all. Learned counsel further submitted that petitioner has been made accused in this case only on the basis of disclosure made by the local Chowkidar. Lastly, it has been submitted that petitioner has four criminal cases against him.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioner within a period of six weeks from today, in connection with Raghopur P.S. Case No. 260 of 2025, he shall be released on anticipatory bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge & Excise Court- II, Vaishali at Hajipur, subject to condition as laid down under Section 482(2) of the B.N.S.S as also to the following conditions:-

1. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.



2. One of the bailors will be his own blood relation, preferably father, mother, brother, sister and or his wife.

3. The bailor shall also state on affidavit that he will inform the court concerned if the petitioner is made accused in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse.

4. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

5. The petitioner within two weeks of his release from custody shall appear before the S.H.O. of his local area alongwith a copy of this order and shall appear every fortnightly to mark his attendance till the framing of charge in this case.

(Khatim Reza, J)

Sankalp/-

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