

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34115 of 2026

Arising Out of PS. Case No.-190 Year-2025 Thana- GHOGHARDIHA District- Madhubani

Anshu Rai S/o Devjee Rai @ Devaji Ray R/o Village - Bhaptiyahi, P.S.-
Narhiya, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Jitendra Kumar Bharti, Advocate Ms. Nitu Kumari, Advocate
For the Opposite Party/s	:	Mr. Khurshid Anwar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 15-05-2026 Heard Mr. Jitendra Kumar Bharti, learned counsel
for the petitioner and Mr. Khurshid Anwar, learned Additional
Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
27.02.2026 in connection with Ghoghardiha P.S. Case No.
190/2025 dated 14.12.2025 corresponding to G.R. No. 773/2025
for the offences punishable under Section 274 and 275 read with
Section 3(5) of the B.N.S. and Section 30(a) of the Bihar
Prohibition and Excise Act.

3. Recovery is of 909 liters of Nepali country-made
liquor.

4. Learned counsel for the petitioner submits that
petitioner is innocent and he has falsely been implicated in the



present case. He further submits that it appears from the F.I.R. as well as seizure list that nothing has been recovered from the conscious possession of the petitioner rather the recovery has been made from orchard. The name of the petitioner has come up in the present case in the disclosure made by the co-accused person, namely, Shambhu Kumar Ram who has been granted bail by this Hon'ble Court vide order dated 07.04.2026 passed in Cr. Misc. No. 22635/2026. He further submits that there is non-compliance of Section 100 of Cr.P.C/103 of BNSS. He further submits that the police after investigation submitted the charge sheet against the petitioner. The petitioner is in custody since 27.02.2026.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner and submits that petitioner carries two criminal antecedents but fairly submits on the basis of paragraph-3 of the bail application that the petitioner is on bail in the said matter.

6. Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge, Excise, Jhanjharpur, Madhubani in connection with Ghoghardiha P.S. Case No. 190/2025 dated 14.12.2025



corresponding to G.R. No. 773/2025, subject to the following conditions:-

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

ii. 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.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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