

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36048 of 2026

Arising Out of PS. Case No.-246 Year-2026 Thana- DARIYAPUR District- Saran

=====

Sunil Rai Son of Late Yogendra Ray Resident Of Village -Barway Police
Station -Dariyapur District -Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Ms. Mili Kumari, Advocate

For the Opposite Party/s : Mr. Ajay Kumar Jha, APP

=====

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 01-06-2026 The Court proceeding is being conducted through
virtual mode.

2. Heard learned counsel for the petitioner and learned
APP for the State.

3. The petitioner is apprehending arrest in connection
with Dariyapur P.S. Case No. 246 of 2026 dated 19.03.2026
lodged under Section 30(a) of the Bihar Prohibition and Excise
(Amendment) Act, 2022, pending before the Court of Additional
Sessions Judge-cum-Exclusive Special Judge, Excise Act-I,
Saran, Chapra.

4. As per the prosecution, total recovery of 16.60 litres
of illicit liquor has been made, which is the subject matter of the
present case.

5. Learned counsel for the petitioner submits that the



petitioner is innocent and has committed no offence. Counsel further submits that the petitioner's name was disclosed by the co-accused, namely, Ashok Nat. Counsel further submits that no incriminating article was recovered from the petitioner's possession. Counsel further submits that the criminal antecedent of the petitioner is not clean, as there are three criminal cases pending against him. Counsel also that the petitioner is ready to fulfil all the conditions whatsoever may be imposed upon him.

6. Learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner and submits that there are three criminal case pending against the petitioner, out of which two cases are related to Bihar Prohibition and Excise (Amendment) Act.

7. Considering the facts and circumstances of the present case, particularly that his antecedents are not clean, this Court is not inclined to grant anticipatory bail to the petitioner. Accordingly, the prayer for anticipatory bail of the petitioner is hereby rejected.

8. Liberty is hereby granted to the petitioner that if he surrenders within six weeks, the Trial Court is directed to pass order on his surrender-cum-bail application on the same day without being prejudiced by the fact that the anticipatory bail



application of the petitioner has been rejected by this Court, and
the Trial Court shall pass an order on the merits of the case.

(Dr. Anshuman, J.)

Aman Kumar/-

U		T	
---	--	---	--

