

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37388 of 2026

Arising Out of PS. Case No.-175 Year-2019 Thana- BAIKUNTHPUR District- Gopalganj

Raju Rai S/o Ramagya Rai Resident Of Village - Mangalpur, P.s. -
Mohammadpur, Dist. - Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Dwivedi, Advocate

For the Opposite Party/s : Mr. Tapeswar Sharma, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 16-06-2026 Heard Mr. Shailendra Kumar Dwivedi, learned
counsel for the petitioner and Mr. Tapeswar Sharma, learned
APP for the State.

2. Petitioner seeks bail, who is in custody since
23.04.2026, in connection with Baikunthpur P.S. Case No. 175
of 2019, F.I.R. dated 15.07.2019 registered for the offences
punishable under Section 30(a) of Bihar Prohibition & Excise
Amendment Act, 2022.

3. Recovery is of 101.5 litres of *country made* liquor.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and he has been falsely implicated in the
present case. He further submits that earlier the petitioner has
been granted the privilege of anticipatory bail vide order dated
17.09.2019 in Cr. Misc. No. 58463 of 2019 but due to



communication gap the petitioner has not furnished the bail bond in terms of the order dated 17.09.2019 and he was lastly apprehended on 23.04.2026. Learned counsel for the petitioner further submits that it appears from the F.I.R. that the name of the petitioner has been transpired on the basis of disclosure made by apprehended co-accused person and except the aforesaid, nothing has come during investigation to suggest the involvement of the petitioner in the present occurrence. The petitioner is in custody since 23.04.2026.

5. The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner and submits that the petitioner carries four more cases other than the present one but fairly submits on the basis of paragraph-3 of the bail petition that the petitioner is on bail in the pending matter.

6. Considering the facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned District and Additional Sessions Judge-XIII-cum-Special Excise Court No. I, Gopalganj in connection with Baikunthpur P.S. Case No. 175 of 2019, subject 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 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.

(2) If the petitioner tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) 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 antecedents, 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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