

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40434 of 2026

Arising Out of PS. Case No.-11 Year-2026 Thana- ALINAGAR District- Darbhanga

Ranjan Lal Dev @ Guddu Lal Dev @ Ramesh Kumar Ranjan Son of Ashok
Lal Dev @ Ashok Kumar Anuj Resident of Village- Gorkha, P.S.- Ali Nagar,
District- Darbhanga.

... .. Petitioner/s

Versus

The State Of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kaushal Kumar

For the Opposite Party/s : Mr. Tarkeshwar Nath Thakur

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 02-07-2026 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Ali Nagar P.S. Case No. 11 of 2026 registered for the offence punishable under Section 30(a) of Bihar Prohibition and Excise Act.

3. Recovery is of total 403.2 liters of Nepali liquor.

4. Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the present case on the basis of suspicion. He further submits that nothing has been recovered from the conscious possession of the petitioner and altogether 403.2 liters of Nepali liquor was recovered from the orchid in question. It is next submitted that as per the allegation



as alleged in the FIR the petitioner has fled away from the place of occurrence and except the aforesaid nothing has come during the investigation to suggest the involvement of the petitioner in the present occurrence.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for anticipatory bail of the petitioner referring the provision contained in Section 76(2) of the Bihar Prohibition and Excise Act and submitted that the pre-arrest bail would not be maintainable. It is next submitted that petitioner has escaped from the place of occurrence and apart from that petitioner has antecedent of one case other than the present case but fairly submits that petitioner is on bail in the pending matter.

6. This court is aware of the decision of the Full Bench in the case of Ram Vinay Yadav vs. State of Bihar reported in 2019(2) P.L.J.R. 1089. Having regard to the law laid down in the aforesaid judgment and the submission advanced on behalf of the parties, this Court, for the limited purpose of grant of anticipatory bail, is inclined to accept the submission of counsel for the petitioner.

7. Considering the aforesaid facts, nothing has been recovered from conscious possession of the petitioner, let the



petitioner, above named, in the event of his arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, 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-II (Excise Act), Darbhanga in connection with Ali Nagar P.S. Case No. 11 of 2026, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other 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 witnesses, 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 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)

Gaurav Sinha/-

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