

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42967 of 2026

Arising Out of PS. Case No.-496 Year-2025 Thana- CHAPRA MUFFASIL District- Saran

Manager Rai S/O Late Anarsi Ray R/o village - Sandha, P.s- Chapra Muffasil,
District - Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravi Prakash, Advocate

For the Opposite Party/s : Mr.Indu Kumari Srivastava, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 01-07-2026 Learned counsel for the petitioner is directed to

mention the period of custody of the petitioner after paragraph

no. 3 of the petition in course of the day.

02. Heard learned counsel for the petitioner and

learned APP for the State.

03. In the present case, the petitioner seeks bail in

connection with Chapra Muffasil P.S. Case No. 496 of 2025,

registered on 01.09.2025 for the offences under Section 30(a) of

the Bihar Prohibition and Excise (Amendment) Act, 2022.

04. As per the prosecution case, secret information

was received about four persons selling illicit liquor and a raid

was conducted at the identified place but all the miscreants fled

away from the spot. From search of the place, recovery of 40

litre of country made liquor and 300 litre of semi prepared

country made liquor was made. The semi prepared liquor got destroyed while being taken out from the water ditch where the same was kept. The local chowkidar identified the petitioner as one of the persons who escaped from the spot.

05. Learned counsel appearing on behalf of the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. Learned counsel further submits that the petitioner was not apprehended from the spot and nothing incriminating has been recovered from person or possession of the petitioner. The petitioner was made accused in this case due to his criminal antecedents as he is having antecedent of seven cases. The petitioner is in custody since 30.03.2026 and charge sheet has been submitted.

06. Learned A.P.P. appearing for the State opposes the submission made on behalf of the petitioner.

07. Having regard to the fact and circumstances and submission made on behalf of the parties and considering the fact that the petitioner was not apprehended from the spot and no recovery has been shown from him and also considering his period of custody and submission of charge sheet, the petitioner is directed to be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties

of the like amount each to the satisfaction of learned 1st Exclusive Special Excise Court, Saran at Chapra/concerned court, in connection with Chapra Muffasil P.S. Case No. 496 of 2025, subject to the condition laid down under Section 480(3) of the BNSS and other following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial court.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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