

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48225 of 2026

Arising Out of PS. Case No.-214 Year-2026 Thana- BABUBARHI District- Madhubani

Raja Raut @ Raja Kumar S/o Govind Raut @ Govind Routh R/o Village-
Navtoli, Ward No. 01, P.S- Babubarhi, Dist- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kumari Pallavi, Adv.

For the Opposite Party/s : Mr. Gulnar Begum, APP

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR

ORAL ORDER

2 22-07-2026 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Babubarhi P.S. Case No. 214 of 2026, F.I.R dated 14.04.2026 registered for the offences punishable under Sections 30(a) and 41 of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, on 14.04.2026, during evening patrolling, the informant (ASI of Babubarhi Police Station) received information that Raja Raut was transporting illicit liquor in a Scorpio vehicle. Acting on the tip-off, the police reached Bajrang Chowk near Navtoli Dam and intercepted a white Scorpio vehicle bearing Reg. No. DL9CQ5162. On seeing the police, the driver abandoned the vehicle and fled. Upon search, the police allegedly recovered



999 liters of illicit Nepali country-made liquor from the vehicle. Local residents and the village chowkidar allegedly disclosed that the liquor belonged to Raja Raut, who used to bring liquor from the Nepal border for illegal sale. A seizure list was prepared and the case was instituted accordingly.

4. Learned counsel for the petitioner submits that the recovery of nepali country-made wine is said to have been made from the white Scorpio vehicle bearing Reg. No. DL9CQ5162, while the said vehicle does not belong to this petitioner and merely on the basis of statement of the village *chowkidar*, the petitioner has been implicated in this case, whereas nothing incriminating has been said to be recovered from the consecutive possession of the petitioner. Learned counsel for the petitioner fairly submits that the petitioner has three criminal antecedents, and in all three cases, he is on bail.

5. Learned APP for the State opposes the prayer for anticipatory bail application in respect of the petitioner.

6. Considering the fact that the seized nepali liquor, which is said to have been recovered from the white Scorpio vehicle, does not belong to this petitioner, that nothing incriminating has been recovered from the constructive possession of the petitioner, accordingly, this Court is inclined



to grant anticipatory bail to the petitioner.

7. Let the petitioner, above named, in the event of his/her 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 Excise, Madhubani in connection with the aforesaid P.S. Case, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure / Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita and with other following conditions:-

(i) one of the bailors should be the family member/relative/known of the petitioner(s) who shall provide official document/personal affidavit to show his/her bona fide;

(ii) the petitioner(s) shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his/her/their bail bond by the Trial Court itself;

(iii) the petitioner(s) shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to



take steps for cancellation of the bail bonds;
(iv) the petitioner(s) shall desist
from committing any criminal offence again,
failing which the State shall be at liberty to
take steps for cancellation of their bail
bonds.

(Ajit Kumar, J)

surya/-

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

