

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47798 of 2026

Arising Out of PS. Case No.-745 Year-2025 Thana- SONEPUR District- Saran

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Mahesh Ray Son of Manejar Ray R/o Sabalpur Pachiyari Tola, P.S.- Sonapur,
District - Saran, Bihar - 841101

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Chandra Shekhar Singh, Advocate
For the Opposite Party/s : Mr. Ramesh Chandra, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 15-07-2026 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case
registered for the offence punishable under Section 30(a) of the
Bihar Prohibition and Excise (Amendment) Act, 2022.

3. Learned counsel for the petitioner submits that
petitioner has antecedent of five cases and allegation is of
recovery of 45 litres of liquor from kiosk of Guddu Rai.

4. Learned counsel for the petitioner submits that
petitioner was not arrested from the spot, as such, nothing was
recovered from his conscious possession. It is further submitted
that petitioner came to be implicated at the instance of the
Chawkidar with whom he is on an inimical term. It is next
submitted that since petitioner has criminal antecedent and is
father of Guddu Rai, as such, the police in a mechanical manner



implicated him in a case relating to excise for obvious reason without holding a proper investigation of the case.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

6. Considering the submissions made by the learned counsel appearing on behalf of the petitioner, let the petitioner, above-named, in the event of his arrest or surrender within a period of six weeks from today, be released on provisional anticipatory bail on furnishing bail bonds of Rs.25,000/- (Rupees Twenty-five Thousand) with two sureties of the like amount each to the satisfaction of the learned Trial Court where the case is pending/Successor Court in connection with Sonapur P.S. Case No. 745 of 2025, subject to the conditions as laid down under Section 438(2) of the Cr.P.C./482(2) of the B.N.S.S.

7. However, it is made clear that thereafter the learned Trial Court shall verify the criminal antecedent of the petitioner and if it is found that petitioner has antecedent of more than five cases, it would be presumed that petitioner had concealed his antecedent before this Court at para 3 of the anticipatory bail application in that event the provisional anticipatory bail order shall not be confirmed but if it is found on verification that petitioner has antecedent of only five cases in that event the



provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

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