

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 50309 of 2026

Arising Out of PS. Case No.-305 Year-2024 Thana- KUCHAIKOTE District- Gopalganj

Shambhu Ray @ Shambhu Rai S/o Yado Rai R/o Village - Kalwari, P.S. -
Ramgarhwa, Dist. - East Champaran, State - Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Ms. Priya Raj, Adv. Mr. Diwakar Pandey, Adv. Mr. Parth Sarthy, Adv.
For the Opposite Party/s :		Mr. Bharat Lal, APP

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR
ORAL ORDER

2 29-07-2026 Learned counsel for the petitioner and the Learned
counsel for the APP are present.

2. The petitioner apprehends his arrest in connection with Kuchaikote P.S. Case No. 305 of 2024 registered on 14.07.2024 for the alleged offence under Section 30(a) of Bihar Prohibition and Excise Amendment Act, 2022, pending in the court of Learned Exclusive Special Excise Court II, Gopalganj.

3. The prosecution story, in brief, is that On 14.07.2024, at approximately 11:50 A.M., the police conducted a routine vehicle check near Porsa-Rajwari Road, NH-27 and during this operation, the police intercepted a suspicious Scorpio vehicle. Upon searching the vehicle, a large quantity of Indian Made Foreign Liquor (IMFL) of various brands and a



total of 291.48 liters of foreign liquor was recovered by the Police from the vehicle.

4. Learned counsel for the petitioner submits that the petitioner is merely the owner of the vehicle and had nothing to do with the seized liquor. The counsel for the petitioner also submits that the petitioner has no criminal antecedent and has falsely been implicated in this case.

5. Learned APP for the State vehemently opposes the prayer for bail of the petitioner.

6. Having heard the parties and considering the fact that the petitioner is having a clean antecedent and has been implicated on the ground of merely being the registered owner of the vehicle, I am inclined to grant the petitioner benefit of anticipatory bail. Let the above named petitioner, in the event of arrest/surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Kuchaikote P.S. Case No. 305 of 2024 registered on 14.07.2024 for the alleged offence under Section 30(a) of Bihar Prohibition and Excise Amendment Act, 2022, subject to the conditions as laid



down under Section 482(2) of the B.N.S.S., 2023.

(I) One of the bailors shall be the petitioner's own or close member.

(ii) The petitioner shall appear on each and every date fixed during the trial and also co-operate in the process of trial.

(iii) The petitioner shall not tamper with the prosecution evidence or influence/intimidate any witness during the course of trial.

(iv) The petitioner shall not commit offence of a similar nature in future.

In case of violation of any of the aforesaid conditions, the Trial Court shall be at liberty to cancel the bail bonds of the petitioner.

(Alok Kumar, J)

Anand/-

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