

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49953 of 2026

Arising Out of PS. Case No.-220 Year-2026 Thana- Excise P.S. District- Madhubani

Raju Kumar Ray S/O Late Upendra Mahto Resident of Village- Inerwa, P.S.
Khjuri, District- Dhanusha (Nepal)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Jha, Adv.

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

CORAM: HONOURABLE MR. JUSTICE RAJ KUMAR

ORAL ORDER

2 22-07-2026 The learned counsel for the petitioner is permitted to make necessary correction in the first paragraph of the main bail petition in course of the day.

2. Heard the learned counsel for the petitioner as well as the learned Additional Public Prosecutor for the State.

3. The petitioner is seeking regular bail in connection with Madhubani Sadar Excise P.S. Case No. 220 of 2026, registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Amendment Act.

4. The prosecution case, in brief, is that acting on a secret information, the Excise officials intercepted a pickup vehicle and allegedly recovered 945 litres of Nepal-made



liquor from it. It is alleged that the petitioner, Raju Kumar Ray, was not apprehended from the vehicle but was subsequently arrested on the basis of the disclosure made by the co-accused, alleging that he was acting as the line-man (liner) for the vehicle transporting the contraband.

5. The learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in the present case. Nothing has been recovered from conscious possession of the petitioner. He has further submitted that he was not in the car, rather, he was apprehended elsewhere while he was proceeding on a road and was found close to the vehicle, in question. He has also submitted that the provisions of Section 103 of the BNSS have not been complied with. He has next submitted that the petitioner has been in judicial custody since 29.05.2026. He has one case of the year 2024 against him, in which, he is on bail. He undertakes to cooperate with the investigation and trial and also not to repeat the offence of similar nature.

6. On the other hand, the learned APP for the State has opposed the prayer for bail by submitting that the



petitioner has one criminal antecedent in his credit.

7. Taking into account the entire facts and circumstances of the case, the petitioner above-named, is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge, Excise Court, Madhubani/concerned court in connection with Madhubani Sadar Excise P.S. Case No. 220 of 2026, subject to the following conditions:-

(i) The petitioner shall cooperate in the disposal of trial.

(ii) One of the bailors must be close relatives of the petitioner such as mother, father, brother, sister or wife.

(iii) The petitioner will appear on each and every date fixed by the trial court and if, he fails to do so on two consecutive dates, unless he is prevented by extremely adverse circumstances, the learned court below will be at liberty to cancel the bail bond of the petitioner.

(iv) Before release, the learned court below shall verify the criminal antecedent of the petitioner and if he is found involved in any case other than the case as mentioned



in para-3 of the bail petition, his bail bond will not be accepted.

(v) It is also made clear that there shall not be any delay in verifying the criminal antecedent of the petitioner.

(vi) If he repeats any offence of similar nature, his bail bond shall be liable to be cancelled immediately by the learned court below.

(Raj Kumar, J)

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