

**Court of 02<sup>nd</sup> Exclusive Special Excise Judge, Saran at Chapra**

(ABP No. 950/2026)

**(Baban Ray & Ors Vs. State of Bihar)**

(Sonepur P.S. Case No. 1240/2025)

**ORDER**

17.03.2026 Heard Ld. Counsel for the petitioners and ld. Special P.P. for the State on the anticipatory bail petition filed on behalf of the accused petitioners **1. Baban Ray, S/O Late Gati Ray and 2. Sonu Kumar, S/O Baban Ray** who are apprehending their arrest in connection with Sonepur P.S. Case No. 1240/2025 u/s 30(a) of Bihar Prohibition and Excise Act, 2016.

Ld. Counsel for the petitioners has submitted that petitioners are innocent and have falsely been implicated in this case, further, no any bail petition either regular or anticipatory has been filed are moved either before this court or the Hon'ble High Court at Patna except this one. He has further submitted that petitioners have got three criminal antecedents. Nothing has been recovered from the conscious possession of the petitioners.

On the other hand, the ld. Special P.P. opposed the prayer of anticipatory bail.

Heard both the sides and perused the case record, on perusal of the same, it transpires that petitioners are named in the FIR u/s 30(a) of Bihar Prohibition and Excise Act, 2016. Seizure list attached with record. Police recovered 200 litres countrymade liquor and 10,000 litre raw material was destroyed on the by the police party which was duly seized. On perusal of case diary, It appears that above named accused petitioners are involved in this illegal business of liquor. There are three criminal antecedents against the petitioners as per para 03 of the anticipatory.

Considering, the prima facie, involvement of accused petitioners in this case, and also the fact that this court has got no power to entertain any anticipatory bail petition as per mandatory provision of Sec.76(2) of Bihar Prohibition and Excise Act, 2016. Accordingly, this anticipatory bail petition of petitioners **1. Baban Ray, S/O Late Gati Ray and 2. Sonu Kumar, S/O Baban Ray** stand rejected.

(Dictated)

(Lakshmi Narain Tripathi)  
Excl.Special Excise Judge-2  
Saran  
17.03.2026