

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.9444 of 2019**

Arising Out of PS. Case No.-177 Year-2018 Thana- PATEPUR District- Vaishali

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Anil Ray, aged about 26 Years (Male), Son of Shivaji Ray @ Paji Ray,  
Resident of Village - Khajanpura, P.S. Patepur, District - Vaishali.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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**Appearance :**

For the Petitioner : Mr.Anish Kumar, Advocate.  
For the Opposite Party : Mr.Amarendra Prasad, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

2      19-02-2019                      Heard learned counsel for the petitioner and learned  
counsel for the State.

The petitioner is apprehending his arrest in a case  
for the offence registered under Sections 30(a), 32(ii), 38(ii) and  
41(i) of the Bihar Prohibition and Excise Act, 2016.

The prosecution story, in brief, is that total 17.64 liters  
wine is said to have been recovered.

It has been submitted by learned counsel for the  
petitioner that the petitioner has got no criminal antecedent.  
There is no allegation of tampering with the witnesses alleged  
against the petitioner. The petitioner has falsely been implicated  
in the present case. It is alleged that total 17.64 liters wine is  
recovered from the poultry farm belongs to joint family of the  
petitioner. The name of the petitioner has come in the present  
case on the basis of alleged recovery made from the poultry



farm belongs joint family of the petitioner. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in this case. Nothing incriminating has been recovered from the conscious possession of the petitioner. The petitioner had no knowledge regarding the alleged incident. There is no compliance of Section 100 Cr. P.C.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R/ Complaint Case.

Considering the aforesaid facts and circumstances, let the petitioner above named, in the event of arrest or 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/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-2nd-cum-Special Judge, Hajipur, Vaishali, in connection with Patepur P.S. Case No. 177 of 2018, corresponding to G.R. No. 5580 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

U.K./-

**(Sudhir Singh, J)**

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