

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.65202 of 2019**

Arising Out of PS. Case No.-662 Year-2019 Thana- SONEPUR District- Saran

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OM PRAKASH RAY @ RAY JEE Son of Rameshwar Ray Resident of  
Village- Bhinik Tola, P.S.- Sonapur, District- Saran at Chapra.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Shakti Suman Kumar  
For the Opposite Party/s : Mr.Md. Mushtaque Alam

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**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA**  
**ORAL ORDER**

2      25-10-2019                      Heard learned counsel for the petitioner and learned  
Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises  
out of Sonapur Police Station Case No.662 of 2019, disclosing  
offence under Section 30(a) of the Bihar Prohibition and Excise Act,  
2016.

The allegation against the petitioner as per First  
Information Report is that Police upon secret information proceeded  
towards the place of occurrence and recovered a total quantity of  
1437 litres of illicit liquor from a truck and arrested the driver of the  
truck.

Mr.Chitranjan Sinha, learned senior counsel for the  
petitioner submits that petitioner has unnecessarily been dragged in  
this case merely on the basis of secret information that the petitioner  
was involved in trade of illicit liquor. Further submission is that



petitioner has got no criminal antecedents and no illicit liquor has been recovered from his conscious possession or from the vehicle belonging to the petitioner.

Having regard to the submissions made on behalf of the parties and taking into consideration the fact that petitioner has got no criminal antecedents, I am inclined to grant the petitioner privilege of anticipatory bail.

This application is, accordingly, allowed.

Let the petitioner, Om Prakash Ray @ Ray Jee, in the event of his arrest or surrender before the court below within four weeks, be released on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned 11<sup>th</sup> Additional Sessions Judge-cum-Special Judge Excise, Saran at Chapra in connection with Sonapur Police Station Case No.662 of 2019, subject to condition laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the Police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bond shall be liable to be cancelled.

**(Anil Kumar Sinha, J)**

abhishek/-

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