

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.30496 of 2021**

Arising Out of PS. Case No.-196 Year-2018 Thana- SARAIYA District- Muzaffarpur

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DHANANJAY RAY Son of Govind Ray R/o Basantpur Patti, P.S.- Saraiya,  
District - Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Ajit Kumar, Advocate

For the Opposite Party/s : Mr. Ganesh Prasad Singh, A.P.P.

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

2      08-12-2021                      Heard Mr. Ajit Kumar, learned counsel for the  
  
petitioner and Mr. Ganesh Prasad Singh, learned Additional  
  
Public Prosecutor appearing for the State.

Petitioner seeks regular bail in connection with  
Saraiya P.S. Case No. 196 of 2018 registered for the offences  
punishable under Sections 272, 273 of the Indian Penal Code  
1860 and Sections 30(a), 38 and 41 of the Bihar Prohibition and  
Excise Act, 2016.

The allegation as per the First Information Report is  
that a total quantity of 251.635 litres of illicit liquor was  
recovered from the mango orchard of Binod Sah.

Learned counsel for the petitioner submits that the  
name of the petitioner was disclosed by the co-villagers saying  
that the petitioner along with others had brought the liquor for



the purpose of sale. Learned counsel further submits that the petitioner has falsely been implicated in this case on the basis of his name disclosed by the co-villagers. He further submits that the illicit liquor has not been recovered either from the conscious possession of the petitioner or the premises belonging to him. He next submits that the person from whose orchard the illicit liquor was recovered has been granted anticipatory bail by a co-ordinate Bench of this Court in Cr. Misc. No. 40671. He further submits that other similarly situated co-accused persons have been granted bail by a co-ordinate Bench of this Court in Cr. Misc. 38496 of 2018 and 48536 of 2018 respectively. The petitioner is in custody since 11.2.2021.

Regards being had to the submissions made by the parties and taking into consideration the materials on record, the fact that the petitioner is in custody since 11.2.2021 and similarly situated co-accused persons have been granted bail by a co-ordinate Bench of this Court, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be released on regular bail on furnishing bail bonds of Rs.25,000/- (Twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise Act,



Muzaffarpur, in connection with Saraiya P.S. Case No. 196 of 2018 subject to the condition that the petitioner will be well represented on each date in the trial and if he fails to do so on two consecutive dates, his bail bonds will be liable to be cancelled.

It is made clear that at the time of furnishing bail bonds all the parties shall follow the guidelines regarding social distancing.

**(Anil Kumar Sinha, J)**

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