

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.34814 of 2020**

Arising Out of PS. Case No.-205 Year-2020 Thana- TAJPUR District- Samastipur

Neetish Ray, S/o Babu Lal Ray, R/o Mircha, P.S.- Tajpur (Halai O.P.),  
District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Bijay Bhushan Prasad, Advocate.

For the Opposite Party/s : Mr. Laxmi Kant Sharma, APP

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR  
MISHRA**

ORAL ORDER

2      26-03-2021                      As prayed for, let the learned counsel appearing for  
the petitioner remove the defect(s), as pointed out by the office,  
within four weeks of starting of the Court proceeding in  
physical mode in normal course.

Heard learned counsel for the petitioner and the  
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection  
with Tajpur (Halai O.P.) P.S. Case No.205 of 2020, registered  
under Section 30(a) of the Bihar Excise Act, 2016, pending in  
the court of 2<sup>nd</sup> Additional Sessions Judge-cum-Special Judge,  
Excise, Samastipur.

The accusation is of recovery of several bottles of  
Indian made foreign liquor, in the volume of 77.760 litre, from



the straw house of the petitioner.

Learned counsel for the petitioner submits that it would appear from the FIR that the alleged bottles of Indian made foreign liquor is not recovered from the residential house of the petitioner rather the same is said to be recovered from the straw house, which is not belonging to the petitioner. Further submission is that petitioner has no criminal antecedent.

Having considered the facts and circumstances of the case and the recovery of several bottles of Indian made foreign liquor from the straw house of the petitioner, I am not inclined to grant anticipatory bail to him. Accordingly, his prayer for grant of anticipatory bail stands rejected. The petitioner is directed to surrender before the trial court within four weeks and pray for regular bail, which would be considered by the trial court in accordance with law without being prejudiced by the order of this Court.

**(Rajendra Kumar Mishra, J)**

Bhardwaj/-

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