

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4460 of 2021

Arising Out of PS. Case No.-242 Year-2019 Thana- PAROO District- Muzaffarpur

RAKESH RAY @ ROHIT RANJAN SON OF RAMBABU RAY RESIDENT
OF VILLAGE - GADHA @ GADHA HASAN, P.S. PAROO, DISTRICT -
MUZAFFARPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Kumar Singh, Adv.
For the Opposite Party/s : Mr. A.G.

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 22-11-2021 Heard the learned counsel for the petitioner
and the learned A.P.P. for the State.

This is an application for grant of anticipatory
bail in connection with Paroo P.S. Case No. 242 of
2019 registered for the offence punishable under
Sections 30/30(a) of the Bihar Prohibition and
Excise Act, 2016.

The allegation is regarding the police having
received secret information about illicit liquor
being loaded on a truck near village Garha near a
brick kiln, whereafter the police force had reached
at the place of occurrence and had recovered huge
quantity of illicit liquor from a truck and pick-up



van parked there. Upon interrogation, the informant came to know that three persons had engaged in loading the illicit liquor on the truck and pick-up van in question. Out of the said three persons, one is the petitioner herein.

The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case and he is having a clean antecedent. It is further submitted that out of three persons, who have been named to be the persons, who were loading / unloading the illicit liquor, two persons have already been granted bail by coordinate Benches of this Court vide orders dated 19.9.2019 and 18.10.2019 passed in Criminal Miscellaneous No. 59282 of 2019 and Criminal Miscellaneous No. 63356 of 2019 respectively.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking



into account the parity of the case of the petitioner with that of the co-accused persons, who have already been granted the privilege of anticipatory bail by coordinate Benches of this Court, as aforesaid, I deem it fit and proper to admit the petitioner to the privilege of anticipatory bail.

Accordingly, the petitioner is directed to be enlarged on anticipatory bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise Act, Muzaffarpur in connection with Paroo P.S. Case No. 242 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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