

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18560 of 2022

Arising Out of PS. Case No.-364 Year-2021 Thana- TAJPUR District- Samastipur

RAM SWARATH RAY @ SOGARATH RAY Son of Late Jagat Ray Resident
of village - Indrawara Tola, Mathawa, P.S. - Tajpur (Halai O.P.), District -
Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Surya Narayan Roy

For the Opposite Party/s : Mrs.Sharda Kumari

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 22-07-2022 Heard learned counsel for the petitioner and the State.

Petitioner apprehends his arrest in a case registered
for the offence punishable under Section 30 (a) of the Bihar
Prohibition & Excise Act.

As per the prosecution case, 7.200 liters of country
made liquor and 5.700 liter of foreign liquor has been recovered
from bamboo clumps of this petitioner.

Learned counsel appearing for the petitioner submits
that petitioner is innocent and has falsely been implicated in the
case. No incriminating article has been recovered from the
conscious possession of the petitioner and he is no way
concerned with the alleged recovery rather recovery has been
made from an open place accessible to one and all. Petitioner



has got clean antecedent.

Learned counsel appearing for the State opposes the prayer for anticipatory bail.

Considering the facts of the case, nature of accusation and clean antecedent of the petitioner, let the petitioner, above named, in the event of his arrest/ surrender within a period of six weeks from today shall be enlarged on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Special Judge, Excise Act- II in connection with Tajpur (Halai OP) PS case No. 364/ 2021, subject to conditions laid down u/s 438(2) of the Cr. P. C.

(Prabhat Kumar Singh, J)

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