

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30104 of 2022

Arising Out of PS. Case No.-195 Year-2022 Thana- MALSALAMI District- Patna

Sanjay Ray @ Nanki @ Nanki Kumar Son Of Nageshwar Ray R/O- Vill-
Chhoti Nagla Sangram Chak, P.S.- Malsalami, Dist.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jay Ram Prasad

For the Opposite Party/s : Mr. Abhay Kumar Roy

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 04-11-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The instant application for anticipatory bail has been
filed by the petitioner apprehending his arrest in connection
with Malsalami P.S. Case no. 195 of 2022 instituted for the
offence under Sections 30(a)/36 of the Bihar Prohibition and
Excise Act.

Prosecution case relates to recovery of 60 liters illicit
country made liquor behind Chhoti Nagla Mandir Mazar in a
bush.

Learned counsel appearing on behalf of the petitioner
has submitted that petitioner is innocent and has committed no
offence. He has falsely been implicated in this present case. He
has got no criminal antecedent. Petitioner has no concern with
the alleged recovery or with the place of occurrence. The name



of the petitioner has been disclosed in this case on confessional statement of the co-accused, namely, Chhotu Kumar who was arrested on spot. Neither the petitioner was arrested on spot nor any incriminating article has been recovered from his conscious possession.

Learned APP appearing for the State has opposed the prayer of Bail.

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Malsalami P.S. Case no. 195 of 2022, he will be enlarged 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 Special Judge, Excise, Patna City subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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