

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.35076 of 2022**

Arising Out of PS. Case No.-141 Year-2021 Thana- HATHAURI District- Muzaffarpur

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MUKESH RAY @ MUKESH KUMAR S/o Late Ramadhar Ray @ Udar Ray  
R/o Vill- Parmjivar, P.S.- Hathauri, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

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

For the Opposite Party/s : Mr. Syed Mojibur Rahman, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**  
**ORAL ORDER**

2      22-08-2022                      Heard learned counsel for the petitioner and learned  
A.P.P. for the State.

Let the defect(s), if any, be removed within a period  
of four weeks.

The petitioner apprehends his arrest in a case  
registered for the offences punishable under Sections 30(a) and  
41(i)(ii) of the Bihar Prohibition and Excise Act, 2016.

Learned counsel for the petitioner submits that  
petitioner has antecedent of one case.

Allegation is of recovery of 577.950 litre of liquor  
from an ambulance.

Learned counsel for the petitioner submits that  
petitioner was not arrested from the spot, as such, nothing was  
recovered from his conscious possession. It is next submitted  
that petitioner is neither the owner nor the driver of the vehicle



and he came to be implicated based on information received from the SHO. It is further submitted that it appears that the police in order to save the real culprits falsely implicated the petitioner based on his antecedent.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Hathauri P.S. Case No. 141 of 2021, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

**(Satyavrat Verma, J)**

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