

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50201 of 2021

Arising Out of PS. Case No.-582 Year-2020 Thana- SONEPUR District- Saran

DEEPAK RAY @ DIPAK RAY Son of Late Sadhu Rai Resident of Village -
Sabalpur Pachhiyari Tola, P.S. and P.O.- Sonapur, Block - Sonapur, Distt.-
Saran

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shashi Bhushan Kumar, Adv.

For the Opposite Party/s : Mr.Md. Nazir Ansari, Adv.

**CORAM: HONOURABLE MR. JUSTICE SANJEEV PRAKASH
SHARMA**

ORAL ORDER

2 05-01-2022 Heard the parties through video conferencing.

The petitioner apprehends his arrest in connection with Sonapur P.S. Case No. 582 of 2020 registered for the offence under Sections 272, 273 of the Indian Penal Code and Sections 30 (a), 38, 41, 47 of the Bihar Prohibition and Excise Act.

Learned counsel for the petitioner submits that petitioner is old man of about 71 years. The vehicle which was recovered belongs to his son and petitioner does not live in the same village.

Taking into consideration, I find prima facie no case under Excise Act is said to be made out against the petitioner and in view of Full Bench decision of this Court rendered in the

case of **Ram Vinay Yadav Vs. The State of Bihar reported in 2019 (2) P.L.J.R. 1089 (F.B.)**, I am inclined to grant benefit of anticipatory bail to the above named petitioner and in the event of arrest he shall be released on bail, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Sanjeev Prakash Sharma, J)

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