

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.40301 of 2020**

Arising Out of PS. Case No.-218 Year-2020 Thana- JAMOBABAZAR District- Siwan

TULSI RAY Son of Dwarika Ray Resident of Village - Khushihal Dumri,  
P.S.- Jamo Bazar, District - Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Gautam Kumar Yadav. Adv.  
For the State : Mr. Shyam Kumar Singh, APP

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

ORAL ORDER

7      14-02-2022      Heard the parties through video conferencing.

The petitioner apprehends his arrest in connection with Jamo Bazar P.S. Case No. 218 of 2020 registered for the offence under Sections 272, 273, 308, 34 of the Indian Penal Code and Section 30 (a) of the Bihar Prohibition and Excise Act, 2016.

Learned counsel for the petitioner submits that the petitioner is neither found at the spot nor he was the driver of the said vehicle. The owner of the vehicle has already been arrested and the petitioner is a simple technician having no connection with the case. He has been falsely implicated in this case on the basis of statement of local villagers.

Taking into consideration the aforesaid aspects, the



petitioner was not found in possession of the liquor nor he was driving the vehicle at the time of seizure, prima facie no case under Section 30 (a) is made out against the petitioner, 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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