

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53037 of 2022

Arising Out of PS. Case No.-373 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- Gaya

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RAN VIJAY RAY Son of Late Sakal Ray Resident of Village - Bhikhanpura,
P.S.- Desari, Distt.- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manisha Prakash, Advocate
For the Opposite Party/s : Mr. Nityanand, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 14-10-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State through virtual Court proceedings.

The petitioner apprehends his arrest in a case
registered for the offences punishable under Section 30(a) of the
Bihar Excise Act.

Learned counsel for the petitioner submits that the
petitioner is a person with clean antecedent and allegation is of
recovery of 594 litres of liquor from the plastic sacks from a
vehicle, as detailed in the FIR.

Learned counsel for the petitioner submits that the
petitioner was not apprehended from the spot as such nothing
was recovered from his conscious possession, it is also
submitted that petitioner came to be implicated on the ground



that he is owner of the vehicle, it is next submitted that petitioner was completely unaware that the driver would misuse the vehicle for such illegal purpose as the driver was also arrested when search was made, it is further submitted that no prudent man would indulge in any illegal activity with the aid of his own vehicle and thus creates evidence against himself.

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 trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 1,000/- (Rupees One Thousand) with two sureties of the like amount to the satisfaction of the learned trial court where the case is pending/successor court in connection with Excise P.S. Case No. 373 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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