

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56078 of 2022

Arising Out of PS. Case No.-236 Year-2022 Thana- SAMASTIPUR MUFFASIL District-
Samastipur

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SHASHI RAY @ SHASHI KUMAR SON OF GANESH RAY R/O
VILLAGE- POKHRAIRA, P.S.- SAMASTIPUR MUFFASIL, DISTT.-
SAMASTIPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Surya Narayan Roy, Advocate

For the Opposite Party/s : Mr. Rabindra Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

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

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 213.930 litres liquor from a Swift Dzire car.

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 is neither the owner nor the driver of
the alleged vehicle as the vehicle belongs to one Santlal Rai as



would manifest from the FIR, it is further submitted that he came to be implicated based on the confessional statement of Manish and Sajjan Kumar (driver).

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. 1,000/- (Rupees One 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 Samastipur (Muffasil) P.S. Case No. 236 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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