

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57846 of 2022

Arising Out of PS. Case No.-159 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- Vaishali

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RAMESH RAY @ RAMESH KUMAR Son of Swarath Ray @ Sogarath Ray
Resident of Village- Litiyahi, P.S.- Rustampur O.P., District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sunil Kumar Singh
For the Opposite Party/s : Mr.Rabindra Kumar

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 18-11-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The instant application for anticipatory bail has been
filed by the petitioner apprehending his arrest in connection
with C2A- 159 of 2021 instituted for the offence under Sections
30 (a), 41 (A) of Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of total 243 litres
foreign liquor which was kept in front of the asbestos house of
Jay Prasad Ray.

Learned counsel appearing on behalf of the petitioner
has submitted that petitioner is innocent and has committed no
offence. The name of the petitioner has been disclosed in this
case by the apprehended co-accused before the police, which



has no evidentiary value in the eye of law. Neither the petitioner was arrested nor any incriminating article has been recovered from his conscious possession.

Learned APP appearing for the State has opposed the prayer of Bail.

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with C2A-159 of 2021, he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Court of Exclusive Special Excise Court No.-II, cum- Additional District and Sessions Judge, Vaishali at Hajipur subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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