

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.31034 of 2023**

Arising Out of PS. Case No.-36 Year-2023 Thana- MAHINDWARA District- Sitamarhi

RAMNATH KUMAR RAY @ RAMNATH RAI son of Ratneshwar Ray @  
Niteshwar Ray @ Nitte Ray RESIDENT OF VILLAGE- KOAHI CHAK  
RAMPUR HARI P S- MAHINDWARA DISTRICT SITAMARHI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Arvind Kumar, Advocate

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

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**  
**ORAL ORDER**

2      19-05-2023                      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 Sections 272, 273 of the Indian Penal Code and Sections 30(a) and 36 of the Bihar Prohibition and Excise (Amendment) Act, 2018.

Learned counsel for the petitioner submits that petitioner has antecedent of six cases.

Allegation is of recovery of 252.25 litres of liquor from an asbestos house at village Koahi.

Learned counsel for the petitioner submits that petitioner was not arrested from the spot, as such, nothing was recovered from his conscious possession. It is further submitted that petitioner came to be implicated based on the confessional



statement of co-accused Harendra Ray in police custody which does not have any evidentiary value in the eye of law. It is next submitted that petitioner is not the owner of the house and he was implicated falsely by the police because of his antecedent through Harendra Ray.

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.30,000/- (Rupees Thirty 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 Mahindwara P.S. Case No. 36 of 2023, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

**(Satyavrat Verma, J)**

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