

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30597 of 2023

Arising Out of PS. Case No.-438 Year-2019 Thana- MALSALAMI District- Patna

BALRAM RAY @ BALIRAM RAY SON OF LATE PARMANAND RAY
R/O-PATHAR KE GHAT, P.S.-MALSALAMI, DISTT.-PATNA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Arvind Kumar Pandey, APP84

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 23-05-2023 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 offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

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

Allegation is of recovery of 100 litres of liquor from the house of the petitioner.

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 even the alleged house is a joint family property and it cannot be alleged with certainty that it was the petitioner who had kept the liquor in the house or the liquor kept in the house



belongs to the petitioner. It is next submitted that petitioner came to be implicated based on secret information received by the police. It is thus submitted that petitioner because of his antecedent came to be implicated.

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.10,000/- (Rupees Ten 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 Malsalami P.S. Case No. 438 of 2019, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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