

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31068 of 2023

Arising Out of PS. Case No.-954 Year-2022 Thana- SONEPUR District- Saran

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AJAY RAI @ AJAY RAY @ AJAY KUMAR SON OF CHANDESHWAR
RAY Resident of Village-Sabalpur Chaharam, P.S.-Sonepur, District-Saran
... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Alexander Ashok, Advocate
For the Opposite Party/s : Mr. Nityanand, A.P.P.

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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 offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act.

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

Allegation is of recovery of 120.04 litres of liquor from the street situated behind the house of the petitioner and 15 litres of liquor from kiosk of Ravindra Chaudhary.

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 because of his antecedent came to be implicated as the alleged recovery was made from a place behind his house



when admittedly the said place does not belong to the petitioner.
It is next submitted that the Chawkidar with whom the petitioner
is on an inimical term falsely implicated him.

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.15,000/-
(Rupees Fifteen 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 Sonapur P.S.
Case No. 954 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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