

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51279 of 2023

Arising Out of PS. Case No.-170 Year-2023 Thana- SARAI RANJAN District- Samastipur

GOLU RAY SON OF MANOJ RAY RESIDENT OF VILLAGE-
DEVALPATTI, PS- SARAI RANJAN, DIST- SAMASTIPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

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

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 08-08-2023 1. Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 30 (a) of
the Bihar Prohibition and Excise (Amendment) Act.

3. Learned counsel for the petitioner submits that the
petitioner is a person with clean antecedent and allegation is of
recovery of total 362.85 liters of liquor from a place in front of
the hut of the petitioner, pick up vehicle and a motorcycle.

4. Learned counsel for the petitioner submits that the
petitioner was not apprehended from the spot as such nothing
was recovered from his conscious possession and he came to be
implicated based on confessional statement of Jaswant Rai in
police custody which does not have any evidentiary value. It is



further submitted that petitioner is not the owner of any of the seized vehicle and alleged recovery is from a place which is adjacent to his house and does not belong to him.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

6. 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 trial court 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 to the satisfaction of the learned Special Judge Excise-2 Samastipur, where the case is pending/successor court in connection with Sarairanjan P.S. Case No. 170 of 2023 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

Jyoti/Rishabh

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