

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67065 of 2023

Arising Out of PS. Case No.-161 Year-2022 Thana- MUSRIGHRARI District- Samastipur

Ravindra Ray Son Of Ramchandra Ray Resident Of Village - Dabhaich, P.S. -
Tisiauta, District - Vaishali

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Akhileshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 08-11-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner, in the present case, is seeking pre-arrest bail in connection with Musarigharari P.S. Case No.161 of 2022 registered for the offences punishable under Sections 467, 468, 471 and 420/34 of the Indian Penal Code and Sections 30(a), 32, 36 and 41 of the Bihar Prohibition and Excise Act, 2016. The petitioner has got no criminal antecedent.

3. As per the prosecution story, allegedly 2681.640 liters of illicit liquor has been recovered from a truck bearing Reg. No.BR06G-8882.

4. Learned counsel for the petitioner submits that name of the petitioner has transpired in the confessional statement of the co-accused Raja Kumar but the petitioner is

neither owner nor driver of the said truck from which the alleged recovery of illicit liquor has been made. It is submitted that the petitioner has no criminal antecedent.

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

6. Having regard to the submission that the name of the petitioner has transpired in the confessional statement of the co-accused Raja Kumar but the petitioner is neither owner nor driver of the said truck from which the alleged recovery of illicit liquor has been made and he has no criminal antecedent, this Court directs that in case of his arrest/surrender within a period of six weeks from today, let the petitioner above-named be enlarged on bail on furnishing bail bond of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge- 1st, Samastipur in connection with Musarigharari P.S. Case No. 161 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

7. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for

cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

8. This application stands allowed.

(Rajeev Ranjan Prasad, J)

arvind/-

U		T	
---	--	---	--