

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.5594 of 2024**

Arising Out of PS. Case No.-311 Year-2023 Thana- SARAI RANJAN District- Samastipur

Devendra Ray @ Devendra Rai Son of Ram Balak Ray R/o Vill - Jhakhra  
Tola, (Mathurapur Tola), P.S. - Sarairanjan, Dist. - Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Dilip Kumar Roy, Advocate

For the Opposite Party/s : Ms. Sharda Kumari, A.P.P.

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

2      16-02-2024                      1. Heard learned counsel for the petitioner and  
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case  
registered for the offences punishable under Sections 30(a) and  
41(2)(1) of the Bihar Prohibition and Excise (Amendment) Act,  
2022.

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

4. Allegation is of recovery of 455.445 litres of liquor  
from a pickup van and an Alto Car.

5. 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 the FIR does not disclose that as to what amount of liquor  
was recovered from each of the vehicles which further casts an



aspersion on the case of the prosecution. It is next submitted that petitioner came to be implicated at the instance of the Chawkidar with whom he is on an inimical term because of his antecedent.

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

7. 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 Sarairanjan P.S. Case No. 311 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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