

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15283 of 2024

Arising Out of PS. Case No.-223 Year-2023 Thana- BARHIYA District- Lakhisarai

Sanjiv Kumar Ray S/o Ramdev Ray R/o Vill - Pargodih, P.S. - Jamun, Dist. -
Giridih (Jharkhand)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Ms.Meena Singh, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 12-03-2024 1. Heard learned counsel for the petitioner as well as
learned APP for the State.

2. The petitioner seeks bail in anticipation of his
arrest in a case registered for the offences punishable under
Sections 30(a), 32, 41 of the Bihar Prohibition and Excise Act.

3. The learned counsel for the petitioner submits that
the petitioner is a person with clean antecedent and allegation is
of recovery of 51.840 liters of liquor from a swift car and 207
liters of liquor from sumo car.

4. It is next submitted that petitioner was not arrested
from the spot as such nothing was recovered from his conscious
possession and he came to be implicated based on the fact that
he is owner of the swift vehicle which was seized. It is next
submitted that no prudent person would use his own vehicle for
committing an occurrence and thus would create evidence



against himself and hence would get implicated. It is also submitted that petitioner was completely unaware that his driver would misused the vehicle in the manner as alleged, when petitioner admittedly is a person with clean antecedent.

5. The learned APP for the State opposes the anticipatory bail application.

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 Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 500 /- (Rupees Five Hundred) with two sureties of the like amount each to the satisfaction of the learned Additional District & Sessions Judge, IV-cum-Exclusive Special Excise Court, I, Lakhisarai in connection with Barahiya P.S. Case No.223 of 2023, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

(Satyavrat Verma, J)

Prakash Narayan

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