

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21750 of 2024

Arising Out of PS. Case No.-450 Year-2021 Thana- RIVILGANJ District- Saran

Nandji Ray @ Nand Ji S/o Bharat Ray R/o Vill - Ajayabganj, P.S. - Bhagwan
Bazar, Dist. - Saran

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anjani Parashar, Adv

For the Opposite Party/s : Mr.Akshay Lal Pandit, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 02-04-2024 Heard learned counsel for the petitioner and
learned Additional Public Prosecutor for the state.

2. The petitioner apprehends his arrest in connection with Rivilganj P.S Case No. 450 of 2021 registered for the offence punishable under Section 30(c), of the Bihar Prohibition & Excise Amendment Act.

3. As per the prosecution case, 320 litres of country made liquor was recovered from the Saryu River, Diara, and near the Bhatti in the plastic bag.

4. Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case. The name of the petitioner was sprung up on the basis that his two



brothers are made accused in this case. No incriminating article has been recovered from the possession of the petitioner. The recovery was made from an open place, which is accessible to public. The petitioner has no concern with the seized liquor. There is no compliance of Section 100 of the Cr.P.C. The petitioner has clean antecedent.

5. Learned APP for the State Opposes the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and submissions of the parties, in the event of his arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs, 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of the learned 2nd Exclusive Special Judge Excise- Saran at Chapra/ concerned court in connection with Rivilganj P.S. Case No. 450 of 2021 subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

(Chandra Prakash Singh, J)

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