

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34861 of 2024

Arising Out of PS. Case No.-13 Year-2024 Thana- ANGARGHAT District- Samastipur

ASHOK RAY SON OF RAM SAKAL RAY RESIDENT OF VILLAGE -
DARDHIA ASADHAR, P.S.- ANGARGHAT, DISTRICT - SAMASTIPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rabi Bhushan
For the Opposite Party/s : Mr.Sanjay Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 28-05-2024 1. Heard learned Counsel for the petitioner and learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out of Angarghat Police Station Case No. 13 of 2024, disclosing offences punishable under Sections 30 (a)/41 (1) of Bihar Prohibition and Excise (Amendment) Act, 2022.
3. The prosecution case, as per the First Information Report, is that the police, on secret information, reached the place of occurrence and saw that one Hyva vehicle and three cars were standing there along with five to six persons, and on seeing the police, all persons present there succeeded in fleeing away. The police searched the vehicles and recovered 3908.55 liters of illicit liquor from



the vehicles.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case merely on the basis of criminal antecedent of similar nature of the year 2020. The petitioner is neither the owner of any of the vehicles from which illicit liquor was recovered nor illicit liquor was recovered from his conscious position.
5. Regards being had taking into consideration the fact that seized vehicles do not belong to the petitioner and further no illicit liquor has been recovered from the possession of the petitioner, I am inclined to grant the petitioner privilege of anticipatory bail.
6. This application is, accordingly allowed.
7. Let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of four weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge, Excise -1, Samastipur, in connection with Angarghat Police Station Case No. 13 of 2024, subject to the condition laid down under Section



438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J.)

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