

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38613 of 2024

Arising Out of PS. Case No.-153 Year-2023 Thana- MUSRIGHRARI District- Samastipur

Hemant Ray @ Hemant Kumar Ray @ Dhruv Hemant Ray @ Hement Ray
Son of Maheswar Ray Resident of Village- Saidpur Jahid, P.S- Ujiyarpur,
Dist- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kedar Jha

For the Opposite Party/s : Mr.Zainul Abedin

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 17-05-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending his arrest in connection with Musrighrari P.S. Case No. 153 of 2023 instituted for the offences under Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per prosecution case, in short, is that total 5.625 liters of illegal liquor was recovered from a motorcycle.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. Being the owner of the seized motorcycle, petitioner has been implicated in the present case. Petitioner has no concern with the alleged recovery of liquor.



No incriminating article has been recovered from the conscious possession of the petitioner. It is next submitted that the petitioner has no criminal antecedent. Petitioner has no knowledge regarding the alleged occurrence. There is no compliance of Section 100 of the Cr.P.C.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest/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/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the Court below/concerned Court in connection with Musrighrari P.S. Case No. 153 of 2023, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Rudra Prakash Mishra, J)

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