

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44197 of 2024

Arising Out of PS. Case No.-277 Year-2017 Thana- PATNA CITY CHOWK District- Patna

Vimal Ray @ Vimal Rai Son Of Asarfi Ray @ Asharfi Ray Resident Of
Phulauri Gali, P.S. - Chowk, District - Patna

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arvind Kumar Pradhan, Advocate

For the Opposite Party/s : Mr. Shyam Bihari Singh, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

2 24-07-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in connection with Chowk P.S. Case No. 277 of 2017 dated 15.09.2017 instituted for the offence punishable under Sections 272, 273/34 of the Indian Penal Code and Section 30(a) of Bihar Prohibition and Excise (Amendment) Act, 2016.

3. Allegation is of recovery of 480 bottle country made liquor each of 400 ml and 46 bottle foreign liquor each of 750 ml from the motorcycle of the petitioner.

4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in this case. It is further submitted that the petitioner has been made accused in this case only of the basis of the fact that he is the



owner of motorcycle bearing Registration No BR01AZ2980. Learned counsel for the petitioner submits that petitioner has not been arrested at the spot. Learned counsel for the petitioner submits that the petitioner is less educated person and had sold the said motorcycle to Pappu Rai, but due to lack of knowledge, he did not prepare any document or do transfer through the transport department, due to which the petitioner has been made accused in this case. Lastly, it has been submitted that petitioner has no criminal antecedents.

5. On the other hand, learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioner stating that the illicit liquor has been recovered from the motorcycle of the petitioner.

6. Since the motorcycle of the petitioner was used in transporting the aforesaid illicit liquor, I am not inclined to grant anticipatory bail to the petitioner.

7. Accordingly, the prayer for anticipatory bail of the petitioner stands rejected.

(Khatim Reza, J)

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