

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43835 of 2024

Arising Out of PS. Case No.-111 Year-2024 Thana- BAKHTIYARPUR District- Patna

Gaya Ray S/o Daroga Ray Resident of Village- Chariya, P S Bakhtiyarpur
District Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rakesh Bihari Singh, Advocate

For the Opposite Party/s : Mr. Sunil Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 20-07-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in connection with
Bakhtiyarpur P.S. Case No. 111 of 2024 dated 04.03.2024
instituted for the offence punishable under Section 30(a) of Bihar
Excise & Prohibition Act.

3. Allegation is recovery of total 1600 litres semi-
prepared illicit liquor (*java*) from two places and accordingly two
seizure list were prepared. It is further alleged that 15.45 kg.
Molasses was also recovered from Chiraiya Diyara area situated
north side of the Ganga and separate seizure was prepared.

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 nothing has been recovered from



the conscious possession of the petitioner or from his house. The said illicit liquor has been recovered from different open places. The petitioner has no concern with the said places. Petitioner has not been arrested at the spot. Only on the basis of the disclosure made by local chowkidar, the petitioner has been made accused in this case. Learned counsel for the petitioner further submits that the seized motorcycle does not belong to the petitioner. Lastly, it has been submitted that petitioner has no criminal antecedents.

5. On the other hand, learned A.P.P. for the State opposed the prayer for anticipatory bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioner within a period of six weeks from today, in connection with Bakhtiyarpur P.S. Case No. 111 of 2024, he will be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge, Excise Barh subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Khatim Reza, J)

premchand/-

U		T	
---	--	---	--

