

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52080 of 2024

Arising Out of PS. Case No.-624 Year-2023 Thana- MALSALAMI District- Patna

Manoj Ray Son of Kameshwar Ray R/o Vill.- Rikabganj Rice Mills, P.s.-
Malsalami, Dist.- Patna

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Binay Kumar Singh, Advocate
For the Opposite Party : Mr. Md. Anzarul Haque Sahara, A.P.P.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 24-07-2024 Heard learned Counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending arrest in connection with Malsalami P.S. Case No. 624 of 2023 registered on 07.09.2023 for the offenses punishable under Sections 30(a) and 36 of the Bihar Prohibition and Excise Act.

3. As per the prosecution, total recovery of 12.390 litres of illicit foreign liquor and 50 litres of illicit country made liquor is the subject matter of the present case.

4. Learned counsel for the petitioner submitted that the petitioner is innocent and has committed no offence. The petitioner is named in the FIR but he has not been apprehended in the place of occurrence. He further submits that other accused person has been granted bail by this Court vide order dated



07.11.2023 passed in Cr. Misc. No. 70926 of 2023. He further submits that the antecedent of the petitioner is clean. In fact, the place of recovery is a joint family house, hence the said recovery cannot be said to be made from the conscious possession of the petitioner.

5. Learned APP for the State vehemently opposes the prayer for bail and submits that from the seizure list it become crystal clear that recovery has been made from the bedroom of the petitioner and therefore, the involvement of the petitioner cannot be ruled out.

6. In this background, this Court is not inclined to grant bail to the petitioner. Accordingly, the prayer for bail of the petitioner in connection with Malsalami P.S. Case No. 624 of 2023, pending before the learned Special Court of Excise, Patna City, Patna is hereby rejected.

(Dr. Anshuman, J.)

Ashwini/-

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

