

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52748 of 2024

Arising Out of PS. Case No.-55 Year-2024 Thana- Excise P.S. District- Sitamarhi

Indrajit Ray Son of Suraj Ray Resident of village - Chainpura, Police Station
- Pupri, District - Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Smiti Bharti, Advocate

For the Opposite Party/s : Ms.Asha Devi, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

- 2 02-08-2024 1. Heard learned counsel for the petitioner as well as
learned APP for the State.
2. The petitioner seeks bail in anticipation of his
arrest in a case registered for the offences punishable under
Sections 30(a), 32(C) of the Bihar Prohibition and Excise Act in
connection with Pupri P.S. Case No.55 of 2024.
3. The learned counsel for the petitioner submits that
the petitioner has antecedent of two cases and allegation is of
recovery of 31.25 liters of liquor from two motorcycles as
detailed in the FIR.
4. It is next submitted that petitioner was not arrested



from the spot as such nothing was recovered from his conscious possession and is not the owner of any of the seized vehicle and he came to be implicated based on confessional statement of Dhiraj in police custody, which does not have any evidentiary value.

5. The learned APP for the State opposes the anticipatory bail application.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special (Excise) Court No.02, Sitamarhi in connection with Pupri P.S. Case No.55 of 2024, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. It is made clear that the learned trial court before accepting the bail bonds of the petitioner shall verify the criminal antecedent of the petitioner and in the event, if it is found that petitioner has antecedent of more than two cases, in that event, the present anticipatory bail order shall not be given



effect.

8. The application stands allowed.

(Satyavrat Verma, J)

Prakash Narayan

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