

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55909 of 2024

Arising Out of PS. Case No.-142 Year-2024 Thana- UJIYARPUR District- Samastipur

Manjay Ray @ Manjay, Son of Maheshwar Ray, Resident of village - Kewsh
Nizamat, Police Station - Mufassil, District - Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anant Kumar Mishra

For the Opposite Party/s : Mr.Anand Kishore Choudhary

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 08-08-2024 1. Heard learned counsel for the petitioner and
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), 41(1) and 41(2) of the Excise Act.

3. The learned counsel for the petitioner submits
that the petitioner has antecedent of one case and the
allegation is of recovery of 4200 litres of liquor from a truck.

4. The learned counsel for the petitioner submits
that petitioner was not arrested from the spot, as such,
nothing was recovered from his conscious possession and is
not owner of the seized truck and he came to be implicated



based on secret information, which is the easiest way to implicate someone. It is also submitted that it appears that the police in order to save the real culprit falsely implicated the petitioner taking advantage of his antecedent. It is next submitted that how the police implicates the innocent person in the case relating to excise.

5. Learned A.P.P. 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. 5,000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge Excise-1st, Samastipur in connection with Ujiarpur P. S. Case No.142 of 2024, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

8. 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 one case, in that event, the present anticipatory bail order shall not be given effect to.

(Satyavrat Verma, J)

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