

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.59825 of 2024**

Arising Out of PS. Case No.-133 Year-2023 Thana- LALGANJ District- Vaishali

Anil Ray S/o Jageshwar Ray @ Fakira Rai R/o vill - Salempur, P.s. - Lalganj,  
Distt. - vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Ms.Bela Singh, Adv.  
For the Opposite Party/s : Mr.Shailendra Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH  
MISHRA**

ORAL ORDER

2      23-08-2024                      Heard learned counsel for the petitioner and learned  
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection  
with Lalganj P.S. Case No. 133 of 2023 registered for the  
offences punishable under Section 30(a) of the Bihar Prohibition  
and Excise Act.

3. As per prosecution case, the police has recovered  
total 200 litres of illicit liquor kept in six gallons from an  
agricultural field.

4. Learned counsel for the petitioner submits that the  
petitioner is innocent and has committed no offence as alleged  
against him and has falsely been implicated in the present case.



He further submits that nothing incriminating has been recovered from the conscious possession of the petitioner. The petitioner has two criminal antecedents as has been stated in paragraph no.3 of the present anticipatory bail application. The petitioner has no concern with the alleged occurrence or the seized liquor. There is a non-compliance of Section 100 of the Cr.P.C. which creates a serious doubt in the prosecution case.

5. Learned counsel for the petitioner further submits that the co-accused Manoj Rai has been granted regular bail by this Court vide order dated 22.02.2024 passed in Cr. Misc. No. 11264 of 2024.

6. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

7. Considering the entire facts and circumstances of the case and taking into account the submissions made by the learned counsel for the petitioner, let the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Lalganj



P.S. Case No. 133 of 2023, subject to the conditions as laid  
down under Section 438 (2) of the Cr.P.C.

**(Rudra Prakash Mishra, J)**

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