

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61972 of 2024

Arising Out of PS. Case No.-14 Year-2020 Thana- CHORAUT District- Sitamarhi

Raj Kumar Ray @ Raj Kumar Rai Son of Baolal Ray Resident of Village -
Nihasa, Ward No.- 16, P.S. - Pupri, District- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shashank Shekhar

For the Opposite Party/s : Mr.Awadhesh Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 28-08-2024 1. Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered
for the offence punishable under Section 30(a) of Bihar Prohibition
and Excise (Amendment) Act, 2018.

3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and allegation is of
recovery of 90 litres of liquor from a motorcycle. It is next submitted
that petitioner was not arrested from the spot as such nothing was
recovered from his conscious possession and is the owner of the
seized vehicle. It is next submitted that no prudent person would use
his own vehicle for committing an occurrence and thus would create
evidence against himself and hence would get implicated. It is next
submitted that the petitioner was completely unaware that his friend
would misuse his vehicle in the manner as alleged, when petitioner



admittedly is a person with clean antecedent.

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

5. 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 from today, be released on anticipatory bail on furnishing bail bonds of Rs.500/- (Rupees five hundred) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Choraut P.S. Case No.14/2020, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

6. It is made clear that the learned trial court before accepting the bail bonds of the petitioner shall verify the criminal antecedents of the petitioner and in the event if it is found that petitioner has antecedent of even one case, in that event, the present anticipatory bail order shall not be given effect to.

(Satyavrat Verma, J)

amit/-

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

