

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77858 of 2024

Arising Out of PS. Case No.-469 Year-2023 Thana- VAISHALI District- Vaishali

=====

Amarjit Ray S/o- Rajbalam Ray village - Salempur, P. S - Lalganj, District -
Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Hemant Kumar

For the Opposite Party/s : Mr. Rajesh Kumar

=====

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 225-11-2024
1. Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

2. This application for grant of anticipatory bail arises out of Vaishali Police Station Case No. 469 of 2023, disclosing offence under Sections 30(a)/38(1) of the Bihar Prohibition and Excise Act, 2016 (hereinafter referred to as ‘the Act’).

3. The allegation against the petitioner, as per the First Information Report, is that the police, while patrolling intercepted a motorcycle, bearing registration no. BR 31U-9588 and upon seeing the police party, the person riding on the motorcycle fled away. The police seized the motorcycle and recovered 80 litres of country made illicit liquor from bag tied to the motorcycle. Upon enquiry the



local villagers disclosed the name of the petitioner.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case due to oblique motive and village politics. He next submits that neither the motorcycle, in question, nor illicit liquor belongs to the petitioner and nothing has been recovered from the conscious possession of the petitioner.
5. Regards being had to the submissions advanced by learned counsel for the parties and taking into consideration the fact that seized motorcycle does not belong to the petitioner and the name of the petitioner has transpired on the basis of disclosure made by local villagers, I am inclined to grant the petitioner privilege of anticipatory bail.
6. This application is, accordingly, allowed.
7. Let the petitioner, above named, in the event of his arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Prohibition and Excise Court 2nd -cum- Additional District



and Sessions Judge, Hajipur, Vaishali, in connection with
Vaishali Police Station Case No. 469 of 2023, subject to
the condition laid down under Section 438 (2) of the Code
of Criminal Procedure

(Anil Kumar Sinha, J)

ashwani/-

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

