

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80525 of 2024

Arising Out of PS. Case No.-384 Year-2018 Thana- TAJPUR District- Samastipur

Dinesh Ray Son of Charitar Ray Resident of Village- Umedpur, PS -Tajpur,
District -Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raja Ram Mishra
For the Opposite Party/s : Mr.Bishweshwar Ram

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 10-12-2024 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 Tajpur (Halai O.P.) Police Station Case No. 384 of 2018, dated 25.10.2018, disclosing offences under Sections 272/273 of the Indian Penal Code and Section 30 (a) of the Bihar Prohibition and Excise Act, 2016.
3. The prosecution case, as per the First Information Report, is that the police, during night patrolling, saw a TATA ACE vehicle and on seeing the police, the driver of the vehicle fled away, leaving behind the vehicle and on search of the vehicle, the police recovered a total quantity of 89.28 litres of illicit liquor from the said vehicle. The petitioner has been made accused in this case on the basis



of the fact that he happens to be the registered owner of the vehicle, in question.

4. Learned Counsel for the petitioner submits that the petitioner has not committed any offence in the manner alleged and he has been made accused in this case on the basis of the fact that he is the owner of the vehicle, in question. He further submits that the vehicle in question is a commercial vehicle and he has sold the said vehicle to one Shivnath Paswan and shifted to Delhi for his livelihood. The petitioner had no knowledge about the seizure and recovery of illicit liquor from the vehicle in question. He further submits that the petitioner has got no criminal antecedent.
5. After having heard learned Counsel for the parties concerned and taking into consideration the fact that the petitioner has got no criminal antecedent and the justification given by the petitioner, 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 six weeks from today, 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 Special Judge, Excise-2, Samastipur, in connection with Tajpur (Halai O.P.) Police Station Case No. 384 of 2018, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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