

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87077 of 2024

Arising Out of PS. Case No.-119 Year-2024 Thana- MOHANPUR District- Samastipur

Manoj Ray @ Manoj Rai Son of Sitaram Ray @ Sitaram Rai R/O- Dumri,
P.S.- Mohanpur, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shashank Shekhar

For the Opposite Party/s : Mr.Dr. Kumar Uday Pratap

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 13-12-2024 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 Mohanpur Police Station Case No. 119 of 2024, disclosing offence under Section 30(a) of the Bihar Prohibition and Excise Act, 2022.
3. The prosecution case, as per the First Information Report, is that on 03.09.2024, the informant, along with police force reached at the place of occurrence and recovered 60 litres of country-made liquor from the P.C.C. road near Dumri four lane (under construction).
4. Learned Counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case due to dirty village politics. He further submits



that from perusal of the First Information Report, it is apparent that the illicit liquor has been recovered from the P.C.C. road near Dumri four lane, which is an open space and is accessible to all and sundry. He further submits that the petitioner is having no criminal antecedent and similarly situated co-accused person, namely, Jivachh Ray, has been granted anticipatory bail by this Court, vide order, dated 18.11.2024, passed in Criminal Misc. No. 76649 of 2024.

5. After having heard learned Counsel for the parties concerned and taking into consideration the fact that liquor has been recovered from an open space, which is accessible to all and sundry, the petitioner has got no criminal antecedent and similarly situated co-accused has been granted anticipatory bail by this Court, 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 Special Judge Excise-II,



Samastipur, in connection with Mohanpur Police Station
Case No. 119 of 2024, 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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