

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6209 of 2024

Arising Out of PS. Case No.-302 Year-2023 Thana- WARISNAGAR District- Samastipur

Raju Ray @ Raju Yadav Son of Satrudhan Ray Resident of village-
Kishanpur, Dubarbanna, P.S.- Warisnagar, Dist. - Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bijay Bhushan Prasad, Advocate

For the Opposite Party/s : Mr. Tapeswar Sharma, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 20-02-2024 Heard the parties.

2. The petitioner is apprehending his arrest in connection with Warisnagar P.S. Case No. 302 of 2023 for the offence under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2022 lodged on 25.08.2023 by the informant, Rakesh Kumar.

3. As per the prosecution story, the informant alleges that upon secret information a tempo was intercepted and 3.375 liters of Indian made foreign liquor recovered/seized. As the tempo Driver, Ranjeet Ray was arrested, he disclosed that he was going to deliver the said consignment to the petitioner herein. Accordingly, the FIR.

4. Learned counsel for the petitioner submits that admittedly the seizure is from the tempo which was driven by



Ranjeet Ray and on his confession before the police, he has been implicated and he do not have any criminal antecedent.

5. Learned APP opposes the prayer.

6. Considering the submission put forward by Mr. Bijay Bhushan Prasad, as also the materials on record, the fact that the seizure has been made from Ranjeet Ray and he do not have any criminal antecedent, this Court is inclined to extend him the privilege of anticipatory bail with conditions.

7. Let the petitioner be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned Special Judge, Excise-II, Samastipur in connection with Warisnagar P.S. Case No. 302 of 2023 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his



bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark his attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

8. With the aforesaid observations, the anticipatory bail application is allowed.

(Rajiv Roy, J)

Adnan/-

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