

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.944 of 2025

Arising Out of PS. Case No.-361 Year-2023 Thana- WARISNAGAR District- Samastipur

Sakindar Kumar Ray @ Sakindar Ray S/o Jogindra Ray Resident of village-
Dhurlakh Tole, Bantar, PS- Warisnagar, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anish Kumar

For the Opposite Party/s : Mr.Ram Naresh Ray

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 24-01-2025 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner is apprehending his arrest in connection with Waris Nagar P.S. Case No. 361 of 2023 registered for the offences punishable under Section 30 (a) of Bihar Prohibition and Excise Act.

3. As per prosecution case, there was alleged recovery of total 159. 600 litre foreign liquor from Glamor motorcycle and Honda City car in question. Apprehended co-accused, Gulshan Kumar, disclosed the name of petitioner who fled away from the place of occurrence.

4. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence as



alleged in the FIR. He further submits that petitioner is neither owner nor driver of the seized Honda City car as well as motorcycle in question. No incriminating article has been recovered from the conscious possession of the petitioner. Except disclosure of co-accused, there is nothing on record to demonstrate the complicity of petitioner with the alleged occurrence. He further submits that seizure list has not been prepared as per law. Learned counsel submits that petitioner bears criminal antecedent of one case and orally submits that petitioner is already on bail in the said case.

5. The learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

6. Considering the facts and circumstances of the case, argument advanced on behalf of both sides and also taking into consideration the material available on record, the petitioner above-named, in the event of their arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the



satisfaction of learned Special Excise Court No. 02,
Samastipur in connection with Waris Nagar P.S. Case No.
361 of 2023, subject to the conditions as laid down under
Section 438(2) of the Cr.P.C.

7. The application stands allowed.

(Alok Kumar Pandey, J)

vashudha/-

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