

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3218 of 2025

Arising Out of PS. Case No.-590 Year-2024 Thana- SAKRA District- Muzaffarpur

Vijay Rai @ Vijay Ray Son of Late Bramdev Ray R/O Vill.- Mirapur
Mohanpur, P.S.- Sakra, District - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anish Kumar

For the Opposite Party/s : Mr. Arun Kumar

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 19-02-2025 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 Sakra Police Station Case No. 590 of 2024,
disclosing offences under Section 30(a) of the Bihar Prohibition
and Excise Act, 2016.

3. As per the prosecution case, on 22.11.2024 at about
12:05 hrs, the informant got an information that a huge quantity
of liquor was being brought by one Pick-up van bearing
registration No. BR09GA-0962 by three persons namely,
Pallu.@ Ramesh, Dharmendra Sah and Chinki Kumar and one
motorcycle bearing registration No. BR06DK-1176 was lining
up. On this information the informant alongwith other police
officials proceeded at Korigama where he saw one pick-up



van coming from Bishanpur Sriram and going towards Pilkhi, the police tried to stop the vehicle but on seeing the police vehicle, the driver of the pick-up van and other two persons tried to flee away and succeeded in the same. The spy identified the name of persons, who fled away as Vijay Rai (Petitioner), Pallu @ Ramesh, Dharmendra Sah and Chinki Kumar. Upon search, total 1710 liters of foreign liquor was recovered from the aforesaid pick-up van.

4. Learned Counsel for the petitioner submits that the petitioner has falsely been implicated in the present case on the basis of secret information. Petitioner was not present at the spot and no incriminating article has been recovered from the conscious possession of the petitioner. Petitioner is neither the owner nor the driver of the seized pick up van. Petitioner is having no criminal antecedent.

5. Having regard to the submissions made on behalf of the parties and taking into consideration the fact that petitioner is having no criminal antecedent, petitioner is neither the owner nor the driver of the seized pick up van and he has been made accused on the basis of secret information, 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 Excise Court No. 1, Muzaffarpur, in connection with Sakra Police Station Case No. 590 of 2024, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

HarshPandey/-

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

