

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10441 of 2025

Arising Out of PS. Case No.-446 Year-2024 Thana- DESARI District- Vaishali

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1. Kunal Kumar Son of Dhanik Ray Resident of Village - Nayagaon, P.S. - Desari, District - Vaishali
 2. Rajesh Ray Son of Harendra Ray Resident of Village - Bajitpur Chaksturi, P.S. - Sahdei, District - Vaishali
 3. Devnath Ray @ Devnath Kumar Son of Ravindra Ray Resident of Village - Bajitpur Chaksturi, P.S. - Sahdei, District - Vaishali
 4. Santosh Kumar Son of Amod Ray Resident of Village - Chiknauta, P.S. - Hajipur Town, District - Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anuj Kumar, Advocate

For the Opposite Party/s : Mr. Ram Sevak Choudhary, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 04-03-2025 Heard learned counsel for the petitioners and the State.

2. Petitioners apprehend arrest in a case registered for the offence punishable under Section 30(a) of Bihar Prohibition and Excise Act.

3. As per prosecution case, 197.340 liters illicit liquor was recovered from the car of which petitioner No. 4 is registered owner.

4. Learned counsel for the petitioners submits that no incriminating material has been recovered from conscious possession of the petitioners and they have been made accused only on suspicion. Petitioner Nos. 1 to 3 have got no concern with the alleged car. Petitioners claim clean antecedent.



5. Learned A.P.P. for the State opposes the prayer for bail application.

6. Considering the fact that petitioner No. 4 is owner of the vehicle from which huge quantity of illicit liquor was recovered, prayer for anticipatory bail of the petitioner No. 4 is refused.

7. However, considering the nature of accusation, clean antecedent and other facts and circumstances of the case this anticipatory bail is allowed with regard to petitioner Nos. 1, 2 & 3 and it is ordered that let the above named petitioner Nos. 1, 2 & 3 in the event of their arrest/surrender before the court below within a period of eight weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of Special Judge-I, Excise, Vaishali at Hajipur in connection with Desari P. S. Case No. 446 of 2024, subject to condition as laid down under Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita, 2023.

(Prabhat Kumar Singh, J)

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