

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12478 of 2025

Arising Out of PS. Case No.-49 Year-2022 Thana- AGAMKUAN District- Patna

Shiv Dayal Ray Son of Chanarik Ray R/O Vill- Dighi Kala, P.S.- Hajipur
Sadar, District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar, Patna

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Sanjay Kumar Singh, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

3 09-05-2025 Heard learned counsel for the petitioner and the
State.

2. Petitioner apprehends his arrest in a case registered
for the offences punishable under Sections 30(a), 32,36 41(i),
of the Bihar Prohibition & Excise Act.

3. It would appear from the FIR and seizure list that
125 liters of country made liquor was recovered from Tempo
bearing Registration No . BR31C1852.

4. Learned counsel for the petitioner submits that the
name of the petitioner has surfaced in the present case on
account of the fact that he is said to be the owner of the said
tempo. However, it has been submitted that the said tempo was
already sold by the petitioner way back in the year 2008 and he
is no way concerned with the said vehicle and he has no



knowledge whatsoever, with regard to the same being put to illegal use. Hence there is no recovery from the physical and conscious possession of the petitioner and the petitioner has no criminal antecedent.

5. Considering the aforesaid facts and circumstances of the case, I am inclined to grant privilege of anticipatory bail to the petitioner. Accordingly, in the event of his arrest/ surrender within a period of four weeks from today the petitioner shall be released on bail on furnishing bail bonds of Rs 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/ successor court in Agamkuan P.S. Case No. 49 of 2022, subject to condition as laid down under Section 438(2) of the Cr.P.C and subject to the further condition that the learned court below shall verify the criminal antecedent of the petitioner before releasing him on bail.

(Soni Shrivastava, J)

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