

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14141 of 2025

Arising Out of PS. Case No.-58 Year-2024 Thana- VAINI District- Samastipur

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Dhiraj Kumar Rai @ Dhiraj Kumar S/o Jeewachh Ray Resident of village-
Chandauli, PS- Vaini, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr.Nawal Kishore Prasad, Advocate

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 27-02-2025 1. Heard learned Counsel for the petitioner and learned
APP for the State.

2. This application, for grant of anticipatory bail, arises
out of Waini PS case no. 58 of 2024, disclosing offences
punishable under Section 30(a) of Bihar Prohibition and Excise
Act, 2016.

3. The prosecution story, as per the First Information
report, is that the Police, upon secret information that petitioner
along with co-accused Rajiv Kumar Singh were unloading illicit
liquor from a truck in village Singhia Karpoorigram, reached at the
place of occurrence and saw that three persons on a motorcycle
were coming and behind the motorcycle, a pick-up van was also
coming. When the Police party tried to stop them, all persons fled
away, leaving the motorcycle and pick-up van. On search, Police
recovered 777.600 liters of illicit foreign liquor from a Magic van



and accordingly, seizure list was prepared.

4. Learned Counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case merely on the basis of secret information. He further submits that petitioner is neither the owner nor the driver of the vehicles in question. He also submits that similarly situated co-accused persons have already been granted anticipatory bail by this Court vide order dated 28.01.2025, passed in Cr. Misc. No. 89921 of 2024 and other analogous cases as also vide order dated 06.02.2025, passed in Cr. Misc. No. 477 of 2025.

5. Having regard to the submissions made on behalf of the parties and taking into consideration the fact that petitioner's name is transpired in this case on secret information, he is neither the owner nor the driver of the said vehicles and co-accused persons have been granted bail, I am inclined to grant the privilege of anticipatory bail to the petitioner.

6. This application is, accordingly, allowed.

7. Let petitioner, abovenamed, in the event of his arrest or surrender before the Court below within six 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 court of Special Judge, Excise Court No. 2, Samastipur in connection with Waini PS case no. 58 of 2024, subject to the



condition laid down under Section 438 (2) of the Code of Criminal
Procedure.

(Anil Kumar Sinha, J)

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