

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14771 of 2025

Arising Out of PS. Case No.-431 Year-2024 Thana- SAMASTIPUR MUFFASIL District-
Samastipur

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Dhiraj Kumar S/o Jeewachh Ray @ Jivchh Ray, R/o Vill.- Chandauli, P.S.-
Tajpur, 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. Umeshanand Pandit, APP.

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CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 02-04-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection
with Muffasil P.S. Case No.431 of 2024 instituted under
Sections 30(a), 41(1), 41(2) of Bihar Prohibition and Excise Act.

3. As per the prosecution case, there is total recovery
of 2591.28 liter illicit liquor from the seized truck and the local
Chowkidar has disclosed the name of petitioner alleging that he
has fled away from the spot.

4. Learned counsel for the petitioner submits that
petitioner is innocent and has been falsely implicated in this
case. He further submits that petitioner was neither arrested
from the spot nor any incriminating article has been recovered
from his conscious possession. He also submits that petitioner
has no concern with the seized truck or illicit liquor. Learned



counsel submits that petitioner is neither driver nor owner of the seized truck as well as motorcycle. He further submits that petitioner has two criminal antecedents, out of which, one belongs to Excise Act and except the disclosure statement, there is no material against the petitioner. Petitioner undertakes to cooperate in the investigation and trial.

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

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount to each to the satisfaction of the learned Exclusive Special Excise Court No.1, Samastipur in connection with Muffasil P.S. Case No.431 of 2024, subject to the conditions laid down in Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

(Sunil Dutta Mishra, J)

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