

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34194 of 2025

Arising Out of PS. Case No.-2182 Year-2024 Thana- Excise P.S. District- Patna

Jaipal Ray @ Raju Ray S/o Raj Kumar Ray R/o Chakiya Kotwapatti, P.S.-
Doriganj, Dist.- Saran

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Ram Jiban Pd Singh, Advocate

For the Opposite Party/s : Mrs.Gulnar Begum,APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 20-05-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The accused-petitioner, not named in the F.I.R., is apprehending his arrest in connection with Patna Excise P.S. Case no. 2182 of 2024 registered for the offences punishable under Sections 30(a) & 56(b) of the Bihar Prohibition and Excise Act.

3. The allegation against the petitioner is to have in possession of 4 litres of illicit liquor and engaged in illegal trading/manufacturing of illicit liquor.

4. Learned counsel appearing on behalf of the petitioner submitted that recovery of illicit liquor was made from the Boat which is accessible by general public and therefore, it can be safely said that recovery of illicit liquor was not made from conscious physical possession of this petitioner, who claims to be a man of



clean antecedent. It is submitted that petitioner implicated in this case only for the reason that he is the owner of the Boat.

5. Learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioner.

6. In view of the aforesaid factual submissions and by taking note of the fact as recovery of illicit liquor *prima-facie* not appears to be made from conscious physical possession of this petitioner, who is a man of clean antecedent, accordingly, above-named petitioner, in the event of his arrest/surrender within a period of four weeks from this order, is directed to be enlarged on bail on furnishing of bail bond of Rs.10,000/- (ten thousand only) with two sureties of the like amount each to the satisfaction of learned Special Judge Excise – 3rd, Patna in connection with Patna Excise P.S. Case no. 2182 of 2024, subject to the conditions as laid down under Section 438(2) of the Cr.P.C/Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita (in short “B.N.S.S.”).

(Chandra Shekhar Jha, J)

Rajeev/-

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