

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78309 of 2024

Arising Out of PS. Case No.-222 Year-2023 Thana- KANTI District- Muzaffarpur

Govind Ray, Son of Late Vilas Ray Resident of village - Nandpuri, P.S.-
Sadar, District - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nachiketa Jha

For the Opposite Party/s : Mr. Kanhaiya Kishore (APP)

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 24-01-2025 1. Heard learned counsel for the petitioner and
learned APP for the State.
2. The petitioner seeks bail in anticipation of his
arrest in a case registered for the offences punishable under
Sections 30(a), 32(i)(ii), 36 and 41(1) of the Excise Act.
3. The learned counsel for the petitioner submits that
the petitioner is a person with clean antecedent and allegation is
of recovery of 828 litres of liquor from a Bolero vehicle.
4. The learned counsel for the petitioner submits that
petitioner was not arrested from the spot, as such, nothing was
recovered from his conscious possession and is not the owner of
the seized vehicle and his name transpired based on secret
information, which is the easiest way to implicate someone.
5. Learned A.P.P. opposes the anticipatory bail



application.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner, above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on **provisional anticipatory bail** on his furnishing bail-bonds in the sum of Rs.500/- (Rupees Five Hundred) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge Excise Court No.II, Muzaffarpur in connection with Kanti P. S. Case No.222 of 2023, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

8. It is made clear that the learned trial Court thereafter shall verify the criminal antecedent of the petitioner and in the event, if it is found that petitioner has antecedent of even one case, in that event, the present provisional anticipatory bail order shall not be given effect to, but if the petitioner is found to be a person with clean antecedent, in that event, his provisional anticipatory bail shall be confirmed.

(Satyavrat Verma, J)

vikash/-

U		T	
---	--	---	--

