

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79983 of 2025

Arising Out of PS. Case No.-256 Year-2025 Thana- AMAS District- Gaya

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Santan Kumar Ray Son of Hirday Ray R/o Village - Nima Anjan, P.S. -
Madanpur, Dist. - Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mrs.Mukul Kumari

For the Opposite Party/s : Mrs.Asha Kumari

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CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR

ORAL ORDER

2 03-12-2025 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner is apprehending his arrest in connection with Amas P.S. Case No.256 of 2025 dated 12.08.2025, registered for the offences under Sections 30(a), 33 of Bihar Prohibition and Excise Amendment Act.

3. As per the FIR, acting on secret information, police intercepted a car coming from Imamganj. The driver, namely, Pankaj Kumar, tried to flee but was apprehended, and 400 litres of spirit were recovered.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in the present case merely because he is the owner of the seized car. There has been no recovery from the conscious possession of



the petitioner, and he is in no way connected to the recovered country-made liquor. She further submits that the petitioner's name surfaced in this case solely on account of his ownership of the seized car, whereas, in fact, he had entrusted the car to his driver. The petitioner had no knowledge of the illicit liquor kept in his vehicle. Lastly, it is submitted that the petitioner has no criminal antecedents.

5. Without accepting the guilt, learned counsel for the petitioner proposes to deposit Rs.5,000/- (Rupees Five Thousand) in the welfare account of the Advocate Association of the Patna High Court.

6. Regard being had to the submission made by the parties, taking into consideration the fact that illicit liquor has not been recovered from the conscious possession of the petitioner and petitioner is in no way connected with the seized motorcycle, accordingly, this Court is inclined to grant anticipatory bail to the petitioner.

7. Let the petitioner, above named, be released on anticipatory bail in the event of arrest or surrender before the Court below within a period of four weeks from today on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of



learned Exclusive Special Judge, Excise Court No.05, Gaya, in connection with Amas P.S. Case No.256 of 2025, subject to the condition as laid down under Section 482(2) of the BNSS, 2023 and on production of the receipt showing deposit of Rs.5000/- as proposed on behalf of the petitioner.

(Ajit Kumar, J)

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