

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85511 of 2025

Arising Out of PS. Case No.-1307 Year-2024 Thana- JAMUI District- Jamui

Tuntun Ray S/o Late Murali Rai R/o Village- Rajkiya Madhya Vidyalay
Junaida Rasulpur Junaida Ward No.1 Bakhri, P.S- Motipur, Dist- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar

For the Opposite Party/s : Mr. Md. Iftekhar Mahmood

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 22-12-2025 1. Heard learned Counsel for the petitioner and learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out of Jamui (JAM) Police Station Case No. 1307 of 2024, disclosing offences under Section 30(a) of the Bihar Prohibition and Excise Act.
3. As per the prosecution case, on 08.12.2024 at around 01:40 hours, officials of the Excise Department intercepted a Massey Ferguson 241 DI tractor with an unclear registration number at Chakai Check Post and, upon search, of the same, the officials recovered 3320.000 liters of illegal spirit from the said vehicle, which was seized.
4. Learned Counsel for the petitioner submits that the petitioner is innocent and and not committed any offence in



the manner alleged. The alleged recovery of 3320.000 liters of illegal spirit was made from two tractors, neither of which belongs to the petitioner. The petitioner was not arrested from the spot, and no recovery was made from his possession. The impugned order wrongly describes the petitioner as the owner of the seized vehicles. The drivers, who were arrested from the spot, did not name the petitioner as the owner of the tractors and allegedly implicated him only to protect the real owner of the contraband.

5. Having regard to the submissions made on behalf of the parties and taking into consideration the fact that petitioner is having fourteen criminal antecedents of similar nature of offence, I am not inclined to grant the petitioner privilege of anticipatory bail.

6. This application is, accordingly, rejected.

(Anil Kumar Sinha, J)

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