

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.88705 of 2024

Arising Out of PS. Case No.-207 Year-2024 Thana- BARGAINIA District- Sitamarhi

Ramesh Rai S/o Heera Ray Resident of Village- Masaha Alam, Ward No.-03,
P.S.- Bairania, District- Sitamarhi 843313.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Subodh Kumar, Advocate

For the Opposite Party/s : Mr. Manoj Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 10-02-2025 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 Bairania Police Station Case No. 207 of 2024, disclosing offences under Section 30(a)(c) of the Bihar Prohibition & Excise Act.

3. The prosecution case, as per the First Information Report, is that the police party while was on patrolling got the secret information that 6-7 persons were coming with liquor on bicycle and after seeing the police, they started running away. However, three of them were arrested, who disclosed their names as Satyendra Kumar, Chandan Kumar and Munna Das and upon inquiry, they disclosed the name of the petitioner and others who succeeded in fleeing away. Total quantity of 652.2



litres of illicit Nepali liquor was recovered from the possession of the arrested persons.

4. Learned Counsel for the petitioner submits that petitioner has been made accused on the basis of disclosure of his name by the arrested co-accused persons. He has not committed any offence as alleged. The bicycle from where the illicit liquor has been recovered does not belong to the petitioner as stated in para 10 of this application. Liquor has not been recovered from the conscious possession and or vehicle/bicycle belonging to the petitioner.

5. Having regard to the submissions made on behalf of the parties and taking into consideration the fact that the petitioner is not the owner of the bicycle from where the illicit liquor has been recovered and his name transpired on the basis of disclosure made by the arrested accused persons, I am inclined to grant the petitioner privilege of anticipatory bail.

6. This application is, accordingly, allowed.

7. Let the petitioner, above named, in the event of his arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court-I,



Sitamarhi, in connection with Bairagania Police Station Case
No. 207 of 2024, subject to the condition laid down under
Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

Siwani/-

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

