

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.88619 of 2024

Arising Out of PS. Case No.-40 Year-2022 Thana- BIBHUTIPUR District- Samastipur

Dharmendra Ray @ Dharmendra Kumar Ray Son of Late Ratan Ray R/O-
Village - Kurni Bajitpur , Police station - Dalsingsarai , District - Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mahendra Pratap, Advocate

For the Opposite Party/s : Mr. Kumar Ranjit Ranjan, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 18-01-2025 Heard Learned Counsel for the petitioner and
Learned A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Bibhutipur P.S. Case No. 40 of 2022, lodged on 03.02.2022
under Sections 30(a), 32(2), 32(3), 36, 41(1), 41(2) of the Bihar
Prohibition and Excise (Amendment) Act, 2018

3. As per the prosecution, Total recovery of 2525.400
litres of illicit foreign liquor has been made which is the subject
matter of the present case.

4. Learned Counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. Counsel
further submits that name of the petitioner has figured in this
case by virtue of secret information. Counsel further submits
that the petitioner is neither the owner nor the driver and co-



driver of the said vehicle. Counsel fairly submits that the criminal antecedent of the petitioner is not clean, there are four criminal cases pending against him and he is in custody since 28.10.2024. Counsel further submits that the co-accused has already been granted bail by this Court *vide* order dated 25.11.2022 passed in Cr. Misc. No.51685 of 2022.

5. Learned APP for the State opposes the prayer for bail and submits that the criminal antecedent of the petitioner is not clean, there are in total four criminal cases pending against him but he is on bail in all the four cases.

6. In the present facts and circumstances of this case and the submissions made above, this Court is not inclined to grant bail to the petitioner at present. Therefore, the bail application of the petitioner is hereby rejected but liberty is hereby granted to the petitioner that he may renew his prayer for bail after framing of charge.

(Dr. Anshuman, J.)

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