

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.90353 of 2024

Arising Out of PS. Case No.-114 Year-2024 Thana- Pahelja P.S. District- Saran

Raju Ray Son of Bhikhari Ray Resident of Village- Kharika, P.S.-Pahleja,
District- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Kumar Singh, Adv.

For the Opposite Party/s : Mr.Tarkeshwar Nath Thakur, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 10-01-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in connection with
Pahleja PS Case No. 114 of 2024 dated 14-10-2024
instituted for the offence punishable under Section 30(a) of the
Bihar Prohibition and Excise Act.

3. The allegation is of recovery of 80 litres country-
made wine from Guava orchard of Shyamdeo Singh near
Brahm Asthan.

4. Learned counsel for the petitioner submits that
petitioner is innocent and he has been falsely implicated in this
case. It is submitted that nothing has been recovered from
conscious or physical possession of the petitioner, rather, the
said illicit wine has been recovered from the Guava Orchard of



Shyamdeo Singh. The petitioner has no concern with the said Shyamdeo Singh nor any connection with the seized illicit wine. Further, the similarly situated person, namely, Nanhak Chaudhary @ Om Prakash Chaudhary has been granted anticipatory bail by this Court *vide* order dated 11-12-2024 passed in Cr. Misc. No. 83708 of 2024. Learned counsel further submits that the petitioner has no criminal antecedents.

5. Learned APP has opposed the prayer for bail.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Court No.2, Saran at Chapra, in Pahleja PS Case No. 114 of 2024, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

7. The application stands allowed.

(Khatim Reza, J)

shyambihari/-

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