

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.89756 of 2024

Arising Out of PS. Case No.-852 Year-2024 Thana- SONEPUR District- Saran

Parlejee @ Ajit Kumar Ray S/O Bigan Ray R/O Village- Rahimpur, P.S- Sonepur, District- Saran at Chapra (Bihar).

The State of Bihar
Versus
... .. Petitioner/s

... .. Opposite Party/s

Appearance :
For the Petitioner/s : Mr. Rakesh Kumar
For the Opposite Party/s : Mr. Anand Kishore Choudhary

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 27-01-2025 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 Sonepur Police Station Case No. 852 of 2024, disclosing offences under Sections 30(a) of the Bihar Prohibition and Excise Act, 2016.
3. As per the prosecution story, the informant got the secret information that one Raju Ray has kept the illicit liquor on the back side of his hut. After getting such information, the informant reached the place of occurrence and upon seeing the police party, one person tried to flee away but was apprehended and he disclosed his name as Raju Ray. The police recovered



15.78 liters of English liquor. Upon query, the arrested person disclosed that Parlejee (petitioner) has given the liquor to him.

4. Learned Counsel for the petitioner submits that the petitioner has falsely been implicated in the present case on the basis of statement made by the arrested co-accused Raju Ray. The illicit liquor has not been recovered from the premises and/or conscious possession of the petitioner. The petitioner has no concern with the liquor or the person arrested with the liquor namely Raju Ray.

5. Having regard to the submissions made on behalf of the parties and taking into consideration the fact that the liquor has not been recovered from the premises and/or conscious possession of the petitioner and his name has transpired on the basis of disclosure made by the arrested co-accused person, 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) with two sureties of the like amount each to the satisfaction of learned 2nd Exclusive Special Excise Judge, Saran



at Chapra, in connection with Sonepur Police Station Case No.
852 of 2024, subject to the condition laid down under Section
438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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