

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51907 of 2014

Arising Out of PS.Case No. -749 Year- 2012 Thana -HAJIPUR District- VAISHALI(HAJIPUR)

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Ajay Rai, Son of Chandeshwar Rai, Resident of Village – Meenapur, P.S.-
Hajipur Town, District – Vaishali.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manish Chandra Gandhi, Advocate.

For the Opposite Party/s : Mr. Rana Randhir Singh(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR

JHA

ORAL ORDER

2 05-01-2015

Heard both sides.

The petitioner Ajay Rai apprehends his arrest in a case registered under Sections 188, 272, 273, 308/34 of the Indian Penal Code and Section 47(A) of the Excise Act in connection with Hajipur Town P.S. Case No. 749 of 2012.

There is allegation that some illicit country made liquor was being prepared in the hut of Chandeshwar Rai and on such the police raided the hut. The police apprehended two persons namely Akhilesh Rai and Ghanti Lal Rai who disclosed the name of Chandeshwar Rai and his son who managed to flee away.

Learned counsel for the petitioner submits that the two apprehended accused are the co-villagers of the petitioner and they did not disclose the name of the petitioner and it is further

submitted that Chhote Lal Rai whose name was also disclosed by the apprehended accused persons has already been granted anticipatory bail vide order passed in Cr. Misc. No. 33913 of 2013 dated 30.09.2013. The petitioner has got no criminal antecedent.

Learned APP did not dispute the facts.

Having considered the facts that the name of the petitioner came to light from the mouth of the person who were apprehended on the spot while preparing illicit liquor and similarly situated accused Chhote Lal Rai has already been granted anticipatory bail, the petitioner Ajay Rai, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, is directed to be enlarged on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Vaishali at Hajipur in connection with Hajipur Town P.S. Case No. 749 of 2012, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Prabhat Kumar Jha, J.)

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