

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.75296 of 2018

Arising Out of PS. Case No.-209 Year-2018 Thana- SIMRI District- Buxar

Binod Rai @ Vinod Rai Son of Late Sriram Rai, Resident of Village- Jalalpur
Ekauna, P.S. Simri, District- Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajit Kumar, Advocate
For the Opposite Party/s : Smt. Anita Kumari, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 19-12-2018 Heard learned counsel for the petitioner and learned APP
for the State.

Petitioner is apprehending his arrest for the offences punishable under Section 30 (a) of Bihar Prohibition and Excise Act.

It is submitted that alleged recovery of 31.180 liters of liquor from the petitioner's Kirana Shop is false. Petitioner has no concern with the said recovery. He was neither present at the shop at the time of recovery nor any seizure has been made from his possession. It is also submitted that the recovery is not in accordance with the procedure prescribed under Section 100 Cr.P.C. Also the petitioner has no criminal antecedent prior to the instant case.

In the facts and circumstances of the case, prayer for



anticipatory bail of the petitioner is allowed. Let the above named petitioner, in the facts and circumstances of the case, in the event of his arrest or surrender within four weeks from today, be released on bail on his furnishing bonds of Rs 10,000.- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Additional District Judge-II-cum-Special Judge Excise Act, Buxar in Simri P.S. Case No. 209 of 2018 subject to all conditions as laid down in Section 438 (2) of Criminal Procedure Code.

(i) That one of the bailors will be a close relative of the Petitioner who will give an affidavit giving genealogy as to how he is related with the Petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the Petitioner.

(ii) That the Petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail will be liable to be cancelled.

(Madhuresh Prasad, J)

Prakash/-

U			
---	--	--	--

