

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.35174 of 2018**

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Laxman Rai son of Yogendra Rai, Resident of village- Dubauli, P.S.-  
Baikunthpur, Gopalganj.

.... .... Petitioner/s

Versus

The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

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

For the Opposite Party/s : Mr. Pranav Kumar, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA**  
**ORAL ORDER**

2      20-06-2018

Heard learned Counsel for the petitioner and learned

Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Baikunthpur Police Station Case No. 60 of 2018/ G.R. No. 1221 of 2018, disclosing offences under Sections 308, 420 and 34 of the Indian Penal Code and Section 30(a) and 41(i)(ii) of the Bihar Prohibition and Excise Act, 2016.

Learned counsel for the petitioner has submitted that the petitioner, who is of clean antecedent, is innocent and has not committed any offence. In fact, the alleged recovery of country-made and foreign liquor was made from the open field, which is evident from seizure list and the petitioner has no concern with the alleged recovery. Nothing has been recovered from the conscious possession of the petitioner. Hence, the petitioner deserves the privilege of anticipatory bail.



Considering the facts and circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender before the Court below within six 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 Additional District and Sessions Judge-II- cum- Special Judge, Gopalganj, in connection with Baikunthpur Police Station Case No. 60 of 2018/ GR. No. 1221 of 2018, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

**(Arvind Srivastava, J)**

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