

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8289 of 2019

Arising Out of PS. Case No.-125 Year-2017 Thana- MUSRIGHRARI District- Samastipur

AJAY RAI Son of Nirсан Rai @ Nirсан Ray, Resident of Village – Motipur,
PS-Tajpur, Distt.-Samastipur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Kumar

For the Opposite Party/s : Mr.Ramesh Chandra

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 13-02-2019 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

In this case, the petitioner is seeking anticipatory bail in connection with Musrigharari P.S. Case No. 125 of 2017 registered for offence punishable under sections 272 and 273 of the Indian Penal Code and 30 (a), 38(1), 38(2) of the Bihar Prohibition and Excise Act, 2016.

Allegation has been made, 16.185 litres of Indian made foreign liquor has been recovered from a poultry farm. As has been mentioned in paragraph 3 of this application that the petitioner has no criminal antecedent.

Looking to the quantity of liquor and the clean antecedent of petitioner, his prayer for bail is allowed and he, in the event of arrest or surrender before the court below within six



weeks from today, is directed to be enlarged on anticipatory bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of 6th A.D.J.-cum-Special Judge, Excise Act, Samastipur in connection with Musrigharari P.S. Case No.125 of 2017, subject to the conditions as laid down under section 438 Cr. PC and also subject to the condition that one of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court. The petitioner will not induce any witness or tamper with the evidence. The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court. If the petitioner is found involved in similar type of allegation in future, the prosecution will have liberty to file an application for cancellation of his bail. The court below will verify the antecedent of the petitioner.

(Shivaji Pandey, J)

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