

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14292 of 2019

Arising Out of PS. Case No.-460 Year-2018 Thana- CHIRAIYA District- East Champaran

RAJESH KUMAR RAI aged about 25 years Male, Son of Ram Ayodhya Rai
Resident of Village - Motnaje, P.S.- Chiraiya, District - East Champaran
... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Sunil Kumar No.III
For the Opposite Party/s : Mr.Ram Bachan Singh

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 11-03-2019 Heard learned counsel for the petitioner and

learned A.P.P. for the State.

The petitioner, in the present case, is seeking anticipatory bail in connection with Chiraiya P.S. Case No. 460/2018 registered for the offences under Section 30(a) of the Bihar Prohibition & Excise Act, 2016.

Learned counsel for the petitioner submits that there is absolutely no allegation against the petitioner with the present case. The alleged illicit liquor has been recovered from one Wagon-R Car of Delhi Registration Number. The petitioner was not present in the Car, however his name has transpired as a person from whom the illicit liquor has been purchased. Learned counsel submits that it is a case of false implication as nothing has been recovered



from the house of the petitioner.

Learned A.P.P. for the State is present and has though opposed the prayer for anticipatory bail of the petitioner, however it is apparent that the petitioner was not there in the vehicle when the alleged recovery was made and the name of the petitioner has transpired in the statement of an apprehended accused.

Having heard learned counsel for the parties, considering the submission that petitioner has no criminal antecedent and he has nothing to do with the vehicle (Wagon-R Car) and from which recovery has been made and that his name has only transpired in the statement of the co-accused without any basis, in the event of his arrest/surrender in the court below within a period of four weeks from today, let the above-named petitioner be enlarged on bail furnishing bail bond of Rs. 15,000/- (Rupees Fifteen Thousand only) with two sureties of the like each to the satisfaction of learned 7th Additional Sessions Judge-cum-Special Judge, Excise, East Champaran, Motihari, in connection with Chiraiya P.S. Case No. 460/2018, subject to condition that petitioner shall



join investigation by reporting to the Investigating Officer within a period of two weeks from today and shall cooperate in course of investigation. This will be in addition to condition prescribed under Section 438(2) of the Code of Criminal Procedure.

(Rajeev Ranjan Prasad, J)

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