

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43090 of 2019

Arising Out of PS. Case No.-39 Year-2019 Thana- RAGHOPUR District- Vaishali

Baleshwar Rai, Son of Nabab Rai, Resident of village- Japhara bad Tok, P.S. Raghapur (Rustampur O.P.), District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Surendra Kumar Mishra

For the Opposite Party/s : Mr.Sanjay Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

4 30-09-2019 Heard learned counsel for the petitioner and the learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with Raghaur P.S. Case No. 39 of 2019, registered under Sections 30(A) and 32(iii) of the Bihar Excise Act.

The accusation is that on receiving secret information about running the business of illicit liquor at village Jafarabad near the Ganga river, the informant along with other police personnel reached there. On seeing the police party, one person succeeded to flee away but the local Choukidar identified that person as Saroj Rai. On search, 40 litres country made liquor, kept in a plastic Jarkin, recovered near Paya No. 3. Thereafter, police party proceeded at some distance then saw



one another person was also seen but on seeing the police party, he succeeded to flee away, while the local Choukidar identified him also as Baleshwar Rai (petitioner). On search, 40 litres kept in a plastic jerkin recovered from there.

Learned counsel for the petitioner submits that, in fact, petitioner is accused in Complaint Case No. 263 of 2014, registered under Sections 323, 341, 354, 380, 384 and 384/34 of the Indian Penal code, in which, petitioner is on bail, due to that reason his name has surfaced in the present case.

Having regard to the facts and circumstances of the case, let the above named petitioner be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned 2nd Additional Sessions Judge-cum-Special Judge, Excise, Vaishali at Hajipur, in connection with Raghour (Rustampur O.P.) P.S. Case No. 39 of 2019, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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