

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44153 of 2019

Arising Out of PS. Case No.-138 Year-2019 Thana- VAISHALI District- Vaishali

ANIL RAI, aged about 28 years, Male, S/O Deoraj Rai @ Devraj Ray, R/O
Village- Bhagwatpur, P.S. Vaishali, Distt. Vaishali ... Petitioner

Versus

The State of Bihar

... Opposite Party

Appearance :

For the Petitioner : Mr. Anish Kumar, Adv.

For the Opposite Party : Mr. Ram Sumiran Rai, APP

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 18-07-2019 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the state.

The petitioner seeks pre-arrest bail in connection with
Vaishali P.S. Case No. 138 of 2019 (G.R. No. 256 of 2019) for
the offences alleged under Sections 30(a), 32(2) and 41(1) of the
Bihar Prohibition and Excise Act, 2016.

The accusation is that on receiving secret information
of unloading illicit liquor near Kanya Chowk, the informant,
along with other police officials, reached there and saw in front
of the poultry farm liquor was being unloaded from a truck. On
seeing the police party, the persons engaged in unloading the
illicit liquor started to flee away, but, the police caught hold of
Kira Ram, who disclosed the names of the four persons engaged
in unloading the liquor. On search of truck 6201 liters of Indian
made foreign liquor, kept in different bottles, recovered. He,
further, disclosed that he use to meet the petitioner.

The submission of the learned counsel for the
petitioner is that petitioner was not apprehended on the spot nor



the petitioner is resident of the village where occurrence has taken place and the petitioner has no criminal antecedent.

Learned Additional Public Prosecutor for the State opposes the prayer for pre-arrest bail.

Having regard to the facts and circumstances of the case, let the petitioner, above named, in the event of surrender/arrest, within a period of four weeks from today, in connection with Vaishali P.S. Case No. 138 of 2019 (G.R. No. 256 of 2019) shall be released on pre-arrest bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of the Additional District & Sessions Judge II-cum-Special Judge, Vaishali at Hajipur, or the successor Court subject to the conditions as laid down under Section 438(2) Criminal Procedure Code.

(Rajendra Kumar Mishra, J)

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