

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55300 of 2019

Arising Out of PS. Case No.-231 Year-2019 Thana- MALSALAMI District- Patna

Sanjit Rai @ Nagar, Son of Kanta Rai, Resident of Village - Pathar Ghat, P.S.-
Malsalami, Distt - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vinay Kumar

For the Opposite Party/s : Mr.Vinod Shanker Modi

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

ORAL ORDER

2 02-09-2019 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Spl. Case No. 5616 of 2019, registered under Section 30(a)
of the Bihar Excise Act.

The accusation is that on receiving secret
information about selling the illicit liquor by Sanjit Rai
(petitioner) and his brother, Mohan Rai in village Pathar Ghat,
the informant along with other police official reached at the
house of petitioner then saw that two persons were sitting
behind the house of the petitioner near the bush. On seeing the
police party, they succeeded to flee away. On search of bush,
one gallon containing 13 litres and 50 pouch of 100 ml country



made liquors were recovered.

Learned counsel for the petitioner submits that it would appear from the F.I.R. that the alleged country made liquor was recovered from the bush, which is situated at some distance behind the house of the petitioner due to that reason, petitioner and his brother, Mohan Rai, have falsely been implicated in this case mere on suspicion. The petitioner has no criminal antecedent.

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 Spl. Judge, Excise Act, Patna, in connection with Special Case No. 5616 of 2019 arising out of Malsalami P.S. Case No. 231 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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