

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53443 of 2019

Arising Out of PS. Case No.-85 Year-2019 Thana- TAJPUR District- Samastipur

Saroj Rai, aged about 40 years, Male, son of Arjun Rai, resident of village-
Indrawara, P.S.- Tajpur Halai, District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binay Kumar, Adv.

For the Opposite Party/s : Mr. Madan Kumar, APP.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA

ORAL ORDER

2 27-08-2019 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State.

The petitioner apprehends his arrest in connection
with Tajpur (Halai) P.S. Case No. 85 of 2019 registered under
section 30(a), 41(i) (ii) of Bihar Prohibition & Excise Act 2016.

The allegation against the petitioner, as per the first
information report, is that police party received a secret
information that near Indrawara Bhuskar Chauk liquor mafias
namely the petitioner and others were trying to transport illegal
liquor. The police party proceeded towards the place of
occurrence and raided near the same and found one truck,
standing in between wheat field and bushes bearing registration
no. UP82T-0146 and upon search, recovered a total quantity of
2623 liters of illicit liquor. It is further alleged that the petitioner
and others upon seeing the police fled away from the place of



occurrence.

Learned counsel appearing for the petitioner submits that the petitioner has no criminal antecedent and has falsely been implicated in this case due to village politics. Learned counsel further submits that truck from where the illicit liquor has been recovered does not belong to him and no recovery of illicit liquor has been made from the conscious possession of the petitioner and vehicle belonging to the petitioner. Learned counsel further submits that similarly situated accused persons have been granted bail by this Court in Criminal Miscellaneous No. 36702 of 2019 and 36169 of 2019.

After having heard learned counsel for the parties and taking into consideration the fact that no illicit liquor has been recovered from the conscious possession or vehicle belonging to the petitioner and further petitioner has got no criminal antecedent and similarly situated accused persons have been granted bail by this Court, I am inclined to grant anticipatory bail to the petitioner.

Accordingly, the petitioner, above named, in the event of arrest or surrender before the learned Court below within a period of four weeks from today shall be released on anticipatory bail by the Court below upon 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 Session Judge, Samastipur in connection with Tajpur (Halai) P.S. Case No. 85 of 2019 subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Anil Kumar Sinha, J)

Anjula/-

U			
---	--	--	--

