

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60914 of 2019

Arising Out of PS. Case No.-167 Year-2019 Thana- AURAI District- Muzaffarpur

ARVIND RAI @ ARVIND KUMAR @ CHHOTU RAI, aged about 33 years,
Male, Son of Shivji Ray, Resident of Village - Rampur Azrakbe, P.S. - Aurai,
Distt – Muzaffarpur ... Petitioner

Versus

The State of Bihar ... Opposite Party

Appearance :

For the Petitioner : Mr. Ravi Ranjan, Adv.
For the Opposite Party : Mr. Manoj Kumar, APP

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

ORAL ORDER

2 25-09-2019 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the state.

The petitioner seeks pre-arrest bail in connection with
Aurai P.S. Case No. 167 of 2019 for the offences alleged under
Sections 272, 273 and 34 of the Indian Penal Code and 30(a) of
the Bihar Prohibition and Excise Act, 2016.

The accusation is that on receiving secret information
about keeping the liquor by the petitioner in the house of late
Chandeshwar Rai in village Rampur Ajarkabe, the informant,
along with other police officials, reached there. On seeing the
police party, one person succeeded to flee away, but, on search
48 bottles, each containing 750 ml Indian made foreign liquor
recovered. The persons, present there, informed that the person,
who succeeded to flee away, was Arvind Rai (petitioner). At
that time, house of Manoj Rai was searched, from where 7



bottles, each containing 750 ml, 20 bottles, each containing 180 ml and 12 bottles, each containing 750 ml Indian made foreign liquor recovered.

The submission of the learned counsel for the petitioner is that the petitioner was not apprehended on spot nor the house from where alleged 48 bottles, each containing 750 ml Indian made foreign liquor is not belong to the petitioner. Petitioner has no criminal antecedent.

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 Aurai P.S. Case No. 167 of 2019 shall be released on 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 Special Judge, Excise, Muzaffarpur, 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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