

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80223 of 2019

Arising Out of PS. Case No.-409 Year-2017 Thana- BAKHTIYARPUR District- Patna

JATAHU RAI (Male), aged about 49 years, Son of Daun Rai, Resident of
Naya Toal Raghobpur, P.S.- Bakhtiyarpur, District- Patna.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Manoj Kumar Pandey, Advocate.
For the Opposite Party : Mrs.Meena Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 06-12-2019 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner is apprehending his arrest in a case for
the offence registered under Sections 147, 148, 149, 341, 323,
307, 353, 332, 224, 225 of the IPC, 30(a), 38, 45 of the Bihar
Prohibition and Excise Act, 2016.

The prosecution story, in brief, is that on secret
information, the police apprehended two persons, namely,
Santras Rai and Suraj Rai and recovered 05 liters wine from
their possession. Upon which, 50-60 villagers assembled there
and started pelting stone and took away apprehended persons
from their custody. Anyhow, they could save their lives.
Thereafter, a raid was conducted in the house of the aforesaid
two persons. The police has got information from their own



sources that 15 F.I.R. named persons alongwith 45 unknown persons had committed such occurrence.

It has been submitted by learned counsel for the petitioner that the petitioner has falsely been implicated in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. Two persons were apprehended by the informant alongwith liquor. Subsequently, the local residents protested against the arrest of the said persons and got arrested persons freed from the police custody. The name of the petitioner has come in the present case merely on the basis of secret information. The source of secret information has not been disclosed by the prosecution. There is no seizure of liquor in the present case. The petitioner has no knowledge regarding the alleged occurrence.

On behalf of the learned counsel for the State, it has been submitted that the petitioner is named in the F.I.R./ complaint case.

Considering the aforesaid facts and circumstances, let the petitioner above named, in the event of arrest or surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of the



like amount each to the satisfaction of the learned Special Judge, Excise, Patna, in connection with Bakhtiyarpur P.S. Case No. 409 of 2017 (Special Case No. 6484 of 2017), subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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