

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74138 of 2019

Arising Out of PS. Case No.-402 Year-2019 Thana- MOTIPUR District- Muzaffarpur

SHATRUGHAN RAI Son of Bachchu Rai Resident of Village - Purani Bazar,
P.S.- Motipur, District - Muzaffarpur

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Manoj Kumar

For the Opposite Party/s : Mr.Parmanand Prasad

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 18-12-2019 Heard learned counsel for the petitioner and
learned Additional Public Prosecutor for the State.

The petitioner is seeking anticipatory bail in connection with Motipur P.S. Case No. 402 of 2019 registered under Sections 272, 273 of the Indian Penal Code and Section 30(a), 41(1)(2) of Bihar Prohibition & Excise Act, 2016.

Learned counsel for the petitioner submits that 200 liters of spirit has been recovered from the house of one Ravi Rai and not from the house of this petitioner, however petitioner has no criminal antecedent.

Learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioner.

Considering the facts and circumstances of the case, the allegation that 200 liters of spirit has been recovered from the house of one Ravi Rai and not from the house of this petitioner and further that save and except that no other material has been brought on record to



connect this petitioner in the present case and that petitioner has otherwise no criminal antecedent, in the event of his arrest/surrender before the court below within a period of four weeks, let the above-named petitioner be enlarged on bail furnishing bail bond of Rs. 15,000/- (Rupees Fifteen Thousand only) with two sureties of the like amount each to the satisfaction of Learned Special Judge, Excise, Muzaffarpur, in connection with Motipur P.S. Case No. 402 of 2019, subject to condition as laid down under Section 438(2) of the Cr.P.C. i.e.

(i) a condition that the person shall make himself available for interrogation by a police officer as and when required;

(ii) a condition that the person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;

(iii) a condition that the person shall not leave India without the previous permission of the Court.

(Rajeev Ranjan Prasad, J)

Rajeev/-

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