

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73282 of 2018

Arising Out of PS. Case No.-1038 Year-2018 Thana- AHIYAPUR District- Muzaffarpur

1. Nandu Rai S/o Raghunath Ray Resident of Village-Patiyasa (Mirzapur) P.S. Ahiyapur, Distt.-Muzaffarpur.
2. Lakshman Rai S/o Jagdish Ray Resident of Village-Patiyasa (Mirzapur) P.S. Ahiyapur, Distt.-Muzaffarpur.

... .. Petitioners.

Versus

The State Of Bihar

... .. Opposite Party.

Appearance :

For the Petitioner no.1 : Mr. Nitu Kumari, Advocate.

For the State : Mr. Suresh Prasad Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

3 22-04-2019 It appears that this application in respect of the petitioner no.2, namely, Lakshman Rai, has already been dismissed as withdrawn vide order dated 04.01.2019. Therefore, today, now, only the prayer of the petitioner no.1, namely, Nandu Rai, for grant of pre-arrest bail is being considered.

Heard.

The petitioner no.1, namely, Nandu Rai, apprehends his arrest in connection with Ahiyapur P.S. Case No.1038 of 2018 registered under Sections 272 and 273 of the Indian Penal Code besides Section 30(a) of the Bihar Prohibition and Excise Act, 2016.



The accusation is that on receiving the secret information about keeping of Indian Made Foreign Liquor in huge quantity in the house of Shrawan Ram at village-Patiyasa Naya Tola, the informant along with other police officials went there and searched the house of Shrawan Ram from where 586 bottles, total containing 237.123 liters Indian Made Foreign Liquor, were recovered. Shrawan Ram, who was caught hold by the police, disclosed that the petitioner and one Lakshmi Rai used to carry the liquor for selling the same and the liquor was kept by them.

Learned counsel appearing on behalf of the petitioner no.1, namely, Nandu Rai, submits that he has no criminal antecedent and his name has been disclosed by the co-accused Shrawan Ram, who was caught hold by the police.

Having considered the facts and the circumstances of the case, let the petitioner no.1, namely, Nandu Rai, in the event of his arrest or surrender by him within six weeks from today, be enlarged on bail on his 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 Act, Muzaffarpur, in connection with Ahiyapur P.S. Case No.1038 of 2018, subject to the conditions laid down under Section 438(2)



Cr.P.C.

Accordingly, this application stands disposed of.

(Rajendra Kumar Mishra, J)

P.S./-

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