

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82235 of 2019

Arising Out of PS. Case No.-97 Year-2019 Thana- LALGANJ District- Vaishali

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RAMNARESH RAI @ RAMTESH RAI @ RAMTESH Son of Late Sitaram
Rai Resident of Village- Salempur, P.S.- Lalganj, District- Vaishali.
... .. Petitioner/s

Versus

THE STATE OF BIHAR Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Singh
For the Opposite Party/s : Mr.Mukesh Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 18-12-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Lalganj P.S. Case No. 97 of 2019, registered for the offence punishable under sections 353, 467, 468, 471, 414, 307, 308 and 34 of the Indian Penal Code and sections 34, 36, 30(a)/32(2) and 41(1) of the Bihar Excise Prohibition Act, 2016.

As per allegation made in the F.I.R., 198 litres of IMFL was recovered from two accused persons, namely, Lalu Kumar and Rajendra Sah. It is further stated that Lalu Kumar who was the driver confessed that this petitioner, his son and others were involved in the business of packing and sale of the liquor.

It is submitted by learned counsel for the petitioner that allegations made in the FIR are false and concocted. Neither any recovery has taken place from person or possession



of the petitioner nor the petitioner has any criminal antecedent. It is further submitted that besides the confessional statement of co-accused before the police, there is no material against the petitioner.

Having heard learned counsel for the parties and taking into consideration the facts including the fact that petitioner was not apprehended on spot, no incriminating material has been recovered from his possession and petitioner has no criminal antecedent, the Court is inclined to enlarge the petitioner on bail and he is directed to surrender in the court below within a period of six weeks from today and in the event of his arrest or surrender, he shall be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-II-cum-Excise Court, Vaishali at Hajipur in connection with Lalganj P.S. Case No. 97 of 2019, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Partha Sarthy, J)

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