

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12092 of 2020

Arising Out of PS. Case No.-227 Year-2019 Thana- BHAGWANPUR District- Vaishali

Paudar Rai, aged about 70 years, (Male), Son of Banwari Rai Resident of Village - Shampur, P.S. - Bhagwanpur, District - Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rakesh Prabhat, Adv.

For the Opposite Party/s : Ms. Renu Kumari, APP

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

3 01-09-2020 Heard Mr. Rakesh Prabhat, learned counsel for the petitioner and Ms. Renu Kumari, learned counsel for the State.

In this case, the petitioner is apprehending his arrest in connection with Bhagwanpur P.S. Case No. 227 of 2019 registered for offences under sections 30(a) of the Bihar Prohibition and Excise Act, 2018.

As per prosecution case, the police, on receipt of secret information that one Pankaj Rai is taking consignment of illegal liquor by white colour Maruti car, reached at the Imadpur Chowk to verify the same and saw that the alleged Maruti car took turn to the west of Imadpur Chowk and started to flee away. The car was followed by the police and, in front of the door of Kedar Rai, the said car was intercepted but, one person, after alighting the car, managed to flee away.

Learned counsel for the petitioner submits that the mere allegation is that the car was parked in front of the house of



the petitioner and, on that account, the petitioner has been made accused in the present case. He further submits that the petitioner is 70 years old and he has not been identified by the police to have fled away from the car.

Looking to the entire facts and circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of four weeks from today, be released 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 Bhagwanpur P.S. Case No. 227 of 2019, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also subject to condition that whenever the police will call the petitioner for investigation/interrogation, he will remain present and if he would not present himself, the privilege of grant of anticipatory bail shall be deemed to have been canceled. It is also made clear that if the petitioner repeats the similar offence in future, the prosecution will be at liberty to file an application for cancellation of the bail.

(Shivaji Pandey, J)

rishi/-

U		T	
---	--	---	--

