

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18803 of 2020**

Arising Out of PS. Case No.-860 Year-2019 Thana- SARAIYA District- Muzaffarpur

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Pappu Rai @ Pappu Kumar Rai S/o Siyaram Rai @ Siya Ram Ray Resident
of Village- Mahmadpur, P.S.- Saraiya, Distt- Muzaffarpur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Rajiv Ranjan, Adv.

For the Opposite Party : Smt. Veena Kumari Jaiswal, APP

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**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER**

2 18-09-2020 Heard learned counsel for the petitioner and

learned APP for the State through video conferencing.

The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Saraiya P.S. Case No. 860 of 2019, registered under sections 30(a) of the Bihar Prohibition and Excise Act, 2016.

As per allegation in the F.I.R., it is stated that total of 62 litres of IMFL was recovered from the *Bathan* of the petitioner.

It is submitted by learned counsel for the petitioner that the petitioner has no criminal antecedent and no recovery as alleged has taken place. He has no concern with the allegedly recovered article and in any case the *Bathan* is an open place



accessible to all.

The application for bail has been opposed by learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case including the petitioner not having any criminal antecedent, the Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of eight weeks from today and in the event of his arrest or surrender in connection with Saraiya P.S. Case No.860 of 2019, he will be enlarged on bail on furnishing bail bond of Rs 10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, (Excise), Muzaffarpur, subject to the conditions as laid down in section 438(2) of Criminal Procedure Code.

(Partha Sarthy, J)

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