

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.29439 of 2020**

Arising Out of PS. Case No.-65 Year-2020 Thana- SUPPI District- Sitamarhi

GANESH RAI Son of Shyam Kishor Rai Resident of Village-Jamla Mandal,  
Police Station-Suppi, District-Sitamarhi.

.. ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Pushpendra Kumar Singh, Adv  
For the Opposite Party/s : Mr. Raj Kishore Singh, APP

**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA**  
**ORAL ORDER**

2      15-12-2020                      Heard Mr. Pushpendra Kumar Singh, learned  
counsel for the petitioner and Mr. Raj Kishore Singh, Additional  
Public Prosecutor for the state through video conferencing.

2. Petitioner apprehends his arrest in connection with  
Suppi PS Case No. 65/2020 registered for the offence  
punishable under Sections 272, 273, 414 of the IPC and Section  
30 (a) of the Bihar Prohibition and Excise Act 2018.

3. The allegation, as per FIR, is that on the basis of  
secret information from one Sunil Singh, that the villagers have  
caught one motorcycle in which illicit liquor is kept and two  
persons, namely, Dharmendra Rai and Ganesh Rai, i.e., the  
petitioner have fled away, the police proceeded to the place of  
occurrence and recovered 09 litres of illicit Nepali Saunfi from  
the Apache Motorcycle which was caught by the villagers.

4. Learned counsel for the petitioner submits that the



petitioner has falsely been implicated in this case on the basis of information received by the police from Sunil Singh who is on inimical terms with the petitioner. Learned counsel further submits that petitioner has got no criminal antecedents and he has got no concern with the recovered liquor and with the seized motorcycle. Next submission on behalf of petitioner is that similarly situated co-accused person, namely, Dharmendra Rai has been granted anticipatory bail by the co-ordinate Bench of this Court vide Cr. Misc. No. 27089/2020.

5. Having regard to the submissions made by the parties and taking into consideration the material on record and the fact that no liquor has been recovered from the conscious possession of the petitioner or from the vehicle belonging to him and similarly situated co-accused person has been granted anticipatory bail by the co-ordinate Bench of this Court, I am inclined to grant anticipatory bail to the petitioner.

6. Accordingly, petitioner, GANESH RAI shall be released on anticipatory bail, in the event of arrest or surrender within six weeks, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned 2<sup>nd</sup> Additional Sessions Judge-cum-Special Judge, Excise Act, Sitamarhi in connection with Suppi



PS Case No. 65/2020, subject to the conditions as laid down under Section 438(2) CrPC.

7. It is made clear that at the time of furnishing bail bonds all the parties shall follow the guidelines of social distancing.

**(Anil Kumar Sinha, J)**

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