

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84903 of 2019

Arising Out of PS. Case No.-289 Year-2019 Thana- LALGANJ District- Vaishali

SANTOSH KUMAR @ SANTU RAI @ SANTOSH RAI S/o Late Rajnish Rai @ Late Ram Jinis Rai R/o village- Agarpur, P.S.- Lalganj, District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manish Chandra Gandhi
For the Opposite Party/s : Mr.Sucheta Yadav

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 08-01-2020 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

The petitioner is seeking anticipatory bail in connection with Lalganj P.S. Case No. 289 of 2019 registered under Sections 30(a), 32(2) and 41(1) of the Bihar Prohibition & Excise Act, 2016.

Learned counsel for the petitioner submits that petitioner has been falsely implicated in this case, the seizure of illicit liquor has been shown from a hut situated in the backyard of the shop and the said shop belongs to the brother of this petitioner, however petitioner has no criminal antecedent.

Learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioner.

Considering the facts and circumstances of the case wherein the seizure of illicit liquor has been shown from a hut situated in the backyard of the shop and the said shop belongs to the brother of this petitioner which is also substantiated from the seizure list showing the name of shop owner as Vinod Rai, and



further submission that petitioner has no criminal antecedent, in the event of his arrest/surrender before the court below within a period of four weeks, let the above-named petitioner be enlarged on bail furnishing bail bond of Rs. 15,000/- (Rupees Fifteen Thousand only) 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. 289 of 2019, subject to condition as laid down under Section 438(2) of the Cr.P.C. i.e.

(i) a condition that the person shall make himself available for interrogation by a police officer as and when required;

(ii) a condition that the person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;

(iii) a condition that the person shall not leave India without the previous permission of the Court.

(Rajeev Ranjan Prasad, J)

Rajeev/-

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