

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16962 of 2021

Arising Out of PS. Case No.-668 Year-2019 Thana- KUDHNI District- Muzaffarpur

UMESH RAI @ UMESH KUMAR Son of Banshlal Rai Resident of Village -
Dubiyahi, P.S. - Kudhani, District – Muzaffarpur Petitioner/s
Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravi Nandan

For the Opposite Party/s : Mr.A.PP

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 21-12-2021 Heard learned counsel for the petitioner and learned
APP for the State.

Learned counsel for the petitioner is expected to honour his undertaking to remove the defects as pointed out by the office when called upon to do so by the office.

The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Kudhani P.S. Case no. 668 of 2019 instituted for the offence under Sections 30(a), 38(i), 41(i) of the Bihar Prohibition and Excise Act, 2016.

As per allegation in the FIR, 2538 liters of liquor is said to have been recovered from the three vehicles and the apprehended accused persons have named the petitioner.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has got no criminal antecedent. Petitioners have no concern either with the alleged vehicles or with the liquor. Similarly situated co-accused persons have been granted



anticipatory bail by another co-ordinate Bench of this Court vide order dated 14.7.2021 passed in Cr. Misc. No. 38983 of 2020 and order dated 19.3.2021 passed in Cr. Misc. No. 35085 of 2020.

Learned APP appearing for the State has opposed the prayer of Bail.

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Kudhani P.S. Case no. 668 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 learned Special Judge Excise, Muzaffarpur subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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