

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19168 of 2021

Arising Out of PS. Case No.-446 Year-2020 Thana- BARH District- Patna

Dayanand Rai S/O Harihar Rai R/o village- Malahi West, P.S.- Barh, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar Pandey

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

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 15-12-2021 Heard learned counsel for the petitioner and

learned APP for the State.

Learned counsel for the petitioner is expected to honour his undertaking given in the instant case for depositing the requisite court fee and to remove the defects as pointed out by the office when called upon to do so by the office.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 30(a) of the Bihar Prohibition & Excise Act.

There is recovery of 108 litres of country made liquor from the bank of Ganga river. The petitioner is



alleged to have fled away from the place of seizure.

It is submitted by learned counsel for the petitioner that petitioner was not apprehended from the spot. Nothing incriminating article has been recovered from the conscious possession of the petitioner. Moreover, similarly situated co-accused person has been granted anticipatory bail by a coordinate Bench of this Court vide Cr. Misc. No. 33834 of 2021. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

In the facts and circumstance 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 anticipatory bail on furnishing bail bonds of Rs. 10,000/-(Ten Thousands) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Patna in connection with Barh P.S. Case No. 448 of 2020 (Special Case No. 7307 of 2020), subject to the



conditions as laid down under Section 438(2) of the
Cr.P.C.

(Sunil Kumar Panwar, J)

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