

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20002 of 2021

Arising Out of PS. Case No.-447 Year-2020 Thana- RIVILGANJ District- Saran

HARERAM RAI @ HARE RAM RAY Son of Shankar Ray Resident of
Village- Mission compound Purvi Dahiyawan Adda No. 02, Police Station -
Chapra Town, District - Saran (Chapra.)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sachida Nand Rai

For the Opposite Party/s : Mr.Ram Priya Sharan Singh, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 03-08-2021 Heard learned counsel for the petitioner and learned APP
for the State through virtual mode.

The petitioner is apprehending his arrest in a case registered
under Sections 30(a), 41(i) of the Bihar Prohibition and Excise Act,
2016.

The prosecution case, in short, is that 40 liters wine is
recovered.

It has been submitted on behalf of the petitioner that there
is no allegation of tampering of witnesses alleged against the
petitioner. The name of the petitioner has transpired as the recovery
is made from the joint house of the petitioner where other family
members also reside. Except for this, there is no other substantive
evidence to suggest the implication of the petitioner in this case. It is
alleged that 40 liters wine is recovered from the joint house of the



petitioner. Nothing incriminating has been recovered from the conscious possession of the petitioner. The petitioner had no knowledge regarding the alleged incident. There is no compliance of Section 100 Cr.P.C.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R./complaint case.

Considering the aforesaid facts and circumstances and also the lockdown, the petitioner, above named, in the event of arrest/surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on his personal bond to the satisfaction of learned 2nd Additional Sessions Judge -cum- Special Judge, Excise, Chapra, Saran in connection with Revilganj P.S. Case No. 447 of 2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Once the normalcy is restored, the petitioner shall furnish bail bonds of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each within a period of eight weeks to the satisfaction of the Court concerned in connection with the aforesaid case.

(Sudhir Singh, J)

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