

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.20164 of 2021**

Arising Out of PS. Case No.-505 Year-2019 Thana- CHAPRA MUFFASIL District- Saran

Anil Rai @ Anil Kumar Rai Son Of Asha Rai R/O Village- Sherpur Naya Basti, P.S.- Chapra (MUFFASIL), District- Saran.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Krishna Kumar Yadav, Advocate

For the Opposite Party/s : Mr. APP

**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.

The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Chapra (Muffasil) P.S. Case no. 505 of 2019 instituted for the offence punishable under Sections 272, 273/34 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case relates to recovery of total 85 litres of country made *chulai* wine by the police officials.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has been falsely implicated in this case. It is further submitted that petitioner is not apprehended on the spot with any incriminating article. No



country made liquor was recovered from his conscious and constructive possession of the petitioner. His name came into light on the statement of some villagers to police officials. Petitioner has no criminal antecedent.

Learned APP for the State has opposed the prayer of bail.

Having heard learned counsel for the parties and 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 Chapra (Muffasil) P.S. Case No. 505 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 ADJ-cum-Special Judge, Excise, Saran at Chapra, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

**(Sunil Kumar Panwar, J)**

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