

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33689 of 2020

Arising Out of PS. Case No.-119 Year-2020 Thana- BHAGWANPUR District- Vaishali

1. PANKAJ RAI Son of Ram Ishwar Rai @ Ram Ekwai Rai Resident of Village- Shyampur Vaishi, P.S.- Bhagwanpur, District- Vaishali.
2. Subhash Rai Son of Late Ram Ishwar Rai Resident of Village- Shyampur Vaishi, P.S.- Bhagwanpur, District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shanti Bhushan Singh, Advocate

For the Opposite Party/s : Mr. Shailendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 18-03-2021 Heard Mr. Shanti Bhushan Singh, learned counsel for the petitioners and Mr. Shailendra Kumar Singh, learned APP for the State.

Mr. Shanti Bhushan Singh, learned counsel for the petitioners seeks permission to withdraw the application with respect to petitioner no. 1/Pankaj Rai who has been arrested.

The application with respect to petitioner no. 1 is dismissed as withdrawn.

The petitioner no. 2/Subhash Rai seeks bail in anticipation of his arrest in connection with Bhagwanpur P.S. Case No. 119 of 2020 dated 29.05.2020 instituted for the offence under Section 30(a) of the Bihar Prohibition and Excise Act, 2018.



21 litres of liquor is said to have been recovered from a room with a thatched roof which is not enclosed from all sides.

Learned counsel for the petitioner no. 2 has submitted that recovery of the liquor cannot exclusively be saddled upon petitioner no. 2.

It has further been submitted that the petitioner no. 2 does not have criminal antecedent.

For the aforestated facts, the petitioner no. 2/Subhash Rai is directed to be released on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt/production of a copy of this order, on his furnishing bonds in the sum of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-2nd -cum-Excise Court, Vaishali at Hajipur in connection with Bhagwanpur P.S. Case No. 119 of 2020, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Ashutosh Kumar, J)

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