

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.37798 of 2020**

Arising Out of PS. Case No.-812 Year-2020 Thana- MADHAURAH District- Saran

=====

KRISHNA RAI Son of Late Ram Naresh Rai Resdent of Village - Dharmauli,  
Ward No.02, P.S.- Marhowrah, Distt.- Saran at Chapra.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

=====

**Appearance :**

For the Petitioner/s : Mr.Dewendra Narayan Singh  
For the Opposite Party/s : Ms. Rina Sinha

=====

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR  
MISHRA**

ORAL ORDER

2      05-07-2021                      As prayed for, let the learned counsel appearing for  
  
the petitioner remove the defect(s), as pointed out by the office  
  
vide its notes dated 21.12.2020, within four weeks of starting of  
  
Court proceeding in physical mode in normal course.

Heard learned counsel for the petitioner and the  
learned A.P.P. for the State through video conferencing.

The petitioner apprehends his arrest in connection  
with Marhowrah P.S. Case no. 812 of 2020, registered under  
Section 30 and 30(a) of the Bihar Prohibition and Excise Act.

The accusation is that, in course of patrolling duty,  
on receiving information about selling of liquor by Krishna Rai  
(Petitioner) in village-Dharmauli, the informant and other  
Police personnel reached there. On seeing the Police party, one



person started fleeing and he managed to escape from there taking advantage of bushes and water. On search, in two plastic containers, 18 litres of country made liquor recovered from the bushes. On query, the persons present there disclosed the name of Krishna Rai (Petitioner), who succeeded to flee away.

Learned counsel for the petitioner submits that petitioner was not apprehended on the spot from where two gallons of country made liquor is said to be recovered. The petitioner has no criminal antecedent and he has falsely been implicated in this case mere on suspicion.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-II-cum-Special Judge, Excise, Saran at Chapra in connection with Marhowrah P.S. Case No. 812 of 2020, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

**(Rajendra Kumar Mishra, J)**

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