

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51084 of 2021

Arising Out of PS. Case No.-342 Year-2020 Thana- RIVILGANJ District- Saran

=====

Anil Rai @ Manish Rai, Male, aged about 32 years, S/O Daroga Rai, R/O Village-Chandrahia, P.S- Kurahni, District-Muzaffarpur.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

=====

Appearance :

For the Petitioner : Mr. Sanjay Kumar Sinha, Advocate
For the Opposite Party : Mr. Bharat Lal, A.P.P.

=====

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 17-11-2021 Learned counsel for the petitioner is directed to remove the defects, as pointed out by the office, within a period of eight weeks.

Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner is apprehending his arrest in connection with Rivilganj P.S. Case No. 342/2020 for the offence registered under Sections 30(a) and 41(1) of the Bihar Prohibition and Excise Act, 2016.

The prosecution story, in brief, is that total 264 liters beer is recovered from the Scorpio in question.



It has been submitted by learned counsel for the petitioner that the petitioner has falsely been implicated in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. It is alleged that total 264 liters beer is recovered from the Scorpio in question. The petitioner is not the owner of Scorpio vehicle. The name of the petitioner has transpired in the present case on the basis of confessional statement of co-accused. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in this case. Nothing incriminating has been recovered from the conscious possession of the petitioner. 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 of the case, let the petitioner above named, in the event of arrest or surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise, Saran, in connection with Rivilganj P.S. Case No. 342/2020, subject to the conditions as



laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

U.K./-

U		T	
---	--	---	--

