

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39320 of 2020

Arising Out of PS. Case No.-66 Year-2020 Thana- BARGAINIA District- Sitamarhi

Paramhans Rai @PRABHANSH Yadav. Son Of Ramswarth Rai Resident Of
Village- Masha Narotam, P.S.- Bairgania, District- Sitamarhi...

... Petitioner/s

Versus

The State Of Bihar

... Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjeet Kumar Mishra
For the Opposite Party/s : Mr.Sanjay Kumar

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 01-11-2021 Let the defect(s) be removed within two weeks of the
complete start of the physical Court in normal course.

Heard learned counsel appearing on behalf of the
petitioner and learned APP appearing on behalf of the State.

The present application is for grant of pre-arrest bail for
allegation under Section 30(a) of Bihar Prohibition and Excise Act,
2016 in connection with Bairgania P.S. Case No. 66 of 2020.

Allegation against the petitioner is that petitioner along
with other co-accused persons was bringing 841.5 litres of Nepali
souffi wine on bolero vehicle bearing Registration No. SK 01P0074
from Nepal. It is alleged that on seeing the informant all accused
persons including petitioner fled away from the place of occurrence.

Learned counsel appearing on behalf of the petitioner
submits that his name has been given in the aforesaid P.S. Case on
the basis of the statement given by the Choukidar of the said village.
Learned counsel further submits that due to his enmity with the



choukidar and village politics the petitioner has falsely been implicated in this case. He further submits that petitioner is of clean antecedent and no recovery has been made from his possession. The alleged illicit Nepali souffi liquor has been recovered from the Bolero bearing Registration No. SK 01P0074. He has specifically stated in paragraph no. 8 that the said vehicle is not registered in his name neither belong to any of his family members.

Considering the facts and circumstances of the case, let the above named petitioner be released on anticipatory bail, in the event of his arrest or surrender before the Court below within four weeks from today, on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge II, Sitamarhi cum Special Judge (Excise), Sitamarhi in connection with Bairgania P.S. Case No. 66/2020, subject to the condition as laid down under Section 438 (2) of the Cr.P.C., 1973.

(Purnendu Singh, J)

Niraj/-

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