

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5574 of 2021

Arising Out of PS. Case No.-807 Year-2020 Thana- SONEPUR District- Saran

Radhe Shyam Kumar @ Radhe Kumar Rai, son of Tipan Rai, resident Of
Village-Shahpur, Nakhi Par,P. S. - Sonapur, District - Saran at Chapra (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rakesh Kumar

For the Opposite Party/s : Mr. A.G.

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 29-11-2021 Heard learned counsel for the petitioner and

learned APP for the State.

Learned counsel for the petitioner is expected
to honour his undertaking given in the instant case for
depositing the requisite court fee and to remove the
defects as pointed out by the office when called upon to
do so by the office.

The petitioner is apprehending his arrest in a
case registered for the offences punishable under
Sections 30(a), 38, 40(i) of the Bihar Prohibition &
Excise Act.

It is alleged that on getting information that the



petitioner along with other accused persons have concealed huge quantity of foreign liquor in the sand, raid was conducted. On seeing the police party, the accused persons fled away from the spot but the *Chaukidar* identified the accused persons including the petitioner. The police recovered 2327.115 litres of foreign liquor kept hidden in the sand.

It is submitted by learned counsel for the petitioner that nothing has been recovered from the conscious possession of the petitioner and only on the identification of the *Chaukidar*, the petitioner has been roped in the present case. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

In the facts and circumstance of the case, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of four weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/-(Ten Thousands)



with two sureties of the like amount each to the satisfaction of learned 2nd Additional Sessions Judge-cum-Special Judge, Excise, Saran at Chapra in connection with Sonapur P.S. Case No. 807 of 2020, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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