

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8876 of 2021

Arising Out of PS. Case No.-21 Year-2020 Thana- SUPPI District- Sitamarhi

BIRBAL RAI @ BIRBAL SON OF PREMSHANKAR RAI @ PREMI RAI
VILLAGE- PARSA, P.S. SUPPI, DISTRICT- SITAMARHI... .. Petitioner/s
Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Hans Lal Kumar
For the Opposite Party/s : Mr.A.PP

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 08-12-2021 Heard learned counsel for the petitioner and learned
APP for the State.

Learned counsel for the petitioner is expected to honour his undertaking to remove the defects as pointed out by the office when called upon to do so by the office.

The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Suppi P.S. Case no. 21 of 2020 instituted for the offence under Sections 272 and 273 of the Indian Penal Code and section 30 of the Bihar Prohibition and Excise Act, 2016.

As per allegation in the FIR, on secret information informant went to the place of occurrence and saw that petitioner along with co-accused Om Prakash Rai were trying to hide something at the door of the petitioner. On seeing the police party, they managed to flee away and on search 84 liters of illicit liquor has been seized in presence of two independent witnesses.



Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. Neither the petitioner was arrested nor any incriminating article has been recovered from his conscious possession. They have no concern with the alleged recovery.

Learned APP appearing for the State has opposed the prayer of Bail.

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Suppi P.S. Case no. 21 of 2020, he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge II-cum-Special Judge (Excise), Sitamarhi subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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