

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4808 of 2022

Arising Out of PS. Case No.-86 Year-2021 Thana- MINAPUR District- Muzaffarpur

1. NAWAL KISHORE RAI @ RISHI Son of Ram Suhag Rai Resident of Village - Dubaha, P.s.- Minapur, Distt.- Muzaffarpur.
2. Sunil Kumar @ Mathwa Son of Shambhu Rai Resident of Village - Dubaha, P.s.- Minapur, Distt.- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Alok Kumar Alok
For the Opposite Party/s : Mr.Madan Kumar

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 14-09-2022 Prayer for anticipatory bail of petitioner No.1 has already been dismissed as withdrawn vide order dated 23.08.2022.

Heard learned counsel for the petitioner No.2 and the State.

Petitioner No.2 apprehends his arrest in a case registered for the offence punishable under Section 272, 273, 420, 468, 471/34 of the Indian Penal Code and under Section 30/30 (a)/ 41(i) of the Bihar Prohibition & Excise Act.

As per the prosecution case, on secret information raid was conducted and 675 liter of foreign liquor was recovered. Co-accused, Raj Kishore, who was apprehended on



the spot, has disclosed the name of this petitioner.

Learned counsel appearing for the petitioner submits that petitioner is innocent and has falsely been implicated in the case. No incriminating article has been recovered from the conscious possession of the petitioner and he is no way concerned with the alleged recovery. Petitioner has got clean antecedent.

Learned counsel appearing for the State opposes the prayer for anticipatory bail.

Considering the facts of the case, nature of accusation and clean antecedent of the petitioner, let the petitioner No. 2, above named, in the event of his arrest/ surrender within a period of six weeks from today shall be enlarged on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Special Judge, Excise Act, Muzaffarpur in connection with Minapur PS case No. 86/ 2021, subject to conditions laid down u/s 438(2) of the Cr. P. C.

(Prabhat Kumar Singh, J)

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