

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41898 of 2022

Arising Out of PS. Case No.-551 Year-2021 Thana- DARIYAPUR District- Saran

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Lallan Rai Son Of Shivilal Rai @ Jivlal Rai R/O Village- Barwe, P.S.-
Dariyapur, District- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Prabhakar Singh

For the Opposite Party/s : Mr.Md. Shakir Ahmad

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 13-10-2022 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner is apprehending his arrest in a

case registered for the offences punishable under

Sections 30, 30(a)/33 of the Bihar Prohibition & Excise

Act.

There is recovery of 150 litres of Indian made

foreign liquor from the bank of the Gandak river and

from two motorcycles. Four persons were apprehended

from the spot who disclosed their name as Ramu Rai,

Murari Rai, Krishna Rai, Santosh Rai. They named the

petitioner as a person who was selling the liquor and fled

away from the place of seizure.

It is submitted by learned counsel for the



petitioner that petitioner was not apprehended from the spot. Nothing has been recovered from the conscious possession of the petitioner. The seized motorcycles, incriminating articles and the illicit liquor do not belong to the petitioner. 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 1st Exclusive Special Excise Court, Saran in connection with Dariyapur P.S. Case No. 551 of 2021, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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