

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24928 of 2021

Arising Out of PS. Case No.-446 Year-2020 Thana- BARH District- Patna

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RANJEET RAI S/O BATO RAI @ BATORAN RAI R/O VILLAGE-
MALAHI WEST, P.S-BARH, DISTRICT-PATNA.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar Pandey, Advocate

For the Opposite Party/s : Mr. APP

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 19-01-2022 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 defect(s) 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 Section 30(a) of the Bihar Prohibition and Excise Act.

It is a case of recovery of about 108 liters country made liquor from the bank of Ganga river and the petitioner is alleged to have fled away from the place of occurrence.

It is submitted by learned counsel for the petitioner that the petitioner has falsely been implicated in this case. He



further submits that there is no recovery of incriminating wine from the conscious and constructive possession of the petitioner. Petitioner was not apprehended at the spot. He further submits that similarly situated co-accused, namely, Dayanand Rai has been granted anticipatory bail by a Bench of this Court passed in Cr. Misc. No. 19168 of 2021 vide order dated 15.12.2021 and the case of this petitioner also stands on similar footing.

Learned APP appearing for the State has opposed the prayer for anticipatory bail.

In the facts and circumstances 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 thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge Excise Patna, District-Patna in connection with Barh P.S. Case No. 446 of 2020 (Special Case No. 7307 of 2020), subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

brajesh kumar/-

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