

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14766 of 2022

Arising Out of PS. Case No.-129 Year-2021 Thana- MAKER District- Saran

Shailendra Rai Son of Nageena Ray R/o Village Phulwaria, P.S. Maker,
District Saran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

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

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 29-07-2022 Heard learned counsel for the petitioner and learned
APP for the State through virtual court proceedings.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 30 and 30(a) of the Bihar Prohibition and Excise Act.

Learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in the present case. It is further submitted that there is no recovery from the conscious possession of the petitioner rather 280 liters of illicit liquor has been recovered from the agricultural field of the petitioner. It is submitted that similarly situated co-accused, Jitendra Rai has already been enlarged on anticipatory bail vide order dated 18.02.2022, passed in Cr. Misc. No.52833 of 2021 by a co-ordinate Bench of this Court. It is submitted that the



petitioner has got two criminal antecedents as stated in paragraph-3 of the bail application.

Petitioner is agree to deposit a sum of Rs. 25,000/- (rupees twenty five thousand) in Patna High Court Legal Services Committee, Patna, bearing Account No. 1413010060836, IFSC Code: PUNB0141320, Punjab National Bank, Bar Council Branch, Patna.

Taking into consideration the fact that there is no recovery from the conscious possession of the petitioner, let petitioner, above named, in the event of his arrest or surrender before the learned court below within a period of six weeks from today, be enlarged on bail on furnishing bail bond of Rs.25,000/- (rupees twenty five thousand) 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 Maker P.S. Case No.129 of 2021, subject to the conditions laid down under Section 438 (2) of the Code of Criminal Procedure as well as subject to the further conditions that:

- (i) One of the bailors will be his own blood relative, preferably, father, mother, brother, sister and/or his wife.
- (ii) The petitioner shall not indulge himself in any



similar offence till conclusion of the trial.

(Anjani Kumar Sharan, J.)

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