

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30395 of 2021

Arising Out of PS. Case No.-33 Year-2021 Thana- VAISHALI District- Vaishali

DHIRAJ KUMAR @ DHIRAJ RAI Son of Vinay Rai Resident of Village-
Jatkauli, P.S. and District- Vaishali. Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjit Kumar Thakur
For the Opposite Party/s : Mr. A.P.P

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 14-02-2022 This matter has been taken up for hearing online
because of COVID-19 pandemic restrictions.

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 Vaishali P.S. Case no. 33 of 2021 instituted for the offence
under Sections 30(a) and 41(i) of the Bihar Prohibition and
Excise Act.

The prosecution case relates to recovery of 34.5 litres
of IMFL from a vehicle bearing Registration No. KA01ME-
0484.

Learned counsel appearing on behalf of the petitioner
has submitted that petitioner is innocent and has committed no
offence. He has got no criminal antecedent. Petitioner has no



concern either with the alleged recovery or with the vehicle in question rather the vehicle belongs to Ravindra Ram. The name of the petitioner has been disclosed in this case by the co-villagers, which has no evidentiary value in the eye of law. Neither the petitioner was arrested nor any incriminating article has been recovered from his possession.

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 Vaishali P.S. Case no. 33 of 2021, 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 Sessions Judge-II-cum-Excise Court, Vaishali at Hajipur subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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