

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21756 of 2022

Arising Out of PS. Case No.-734 Year-2021 Thana- MAHUA District- Vaishali

RAJEEV RAY S/o- Valli Ray Resident of Village - Bishanpur Madhual, P.S. -
Mahua, District - Vaishali.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pratima Kumari
For the Opposite Party/s : Mr.Nityanand

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 12-08-2022 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(a), 32(ii), 34(ii) and 41(i) of the Bihar Prohibition and Excise Act.

2919.480 litres of foreign liquor has been recovered from different vehicles standing in front of the house of Shyam Bihari Rai and Shyamnandan Rai.

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. Similarly situated co-accused, Akhilesh Rai has been enlarged on anticipatory bail vide Cr. Misc. No.19324 of 2022. It is



submitted that the petitioner has got no criminal antecedent as stated in paragraph-3 of the bail application.

Petitioner is ready to deposit a sum of Rs.75,000/- (rupees seventy five thousand) in Bihar Kishore Nyay Nidhi, Apna Ghar, Near Lalit Bhawan, Bailey Road, Patna bearing Saving Bank Account No.35094613009, State Bank of India, Branch Name Patna Secretariat Sinchai Bhawan, Branch Code-153, IFSC Code-SBIN0000153.

Taking into consideration the facts aforesaid and 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 Special Excise Court No.2-cum-Additional District & Sessions Judge, Vaishali at Hajipur in connection with Mahua P.S. Case No.734 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 own blood relative of the



petitioner, 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)

Sanjay/-

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