

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37103 of 2021

Arising Out of PS. Case No.-429 Year-2020 Thana- RUNISAIDPUR District- Sitamarhi

NITISH KUMAR Son of Ramashankar Rai @ Rajajee Resident of Village-
Kauriya, Lalpur, Ward No.06, P.S.- Runnisaidpur, District- Sitamarhi- 843323

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Subodh Kumar, Advocate

For the Opposite Party/s : Mr.Shyameshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 14-06-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

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

Learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and the informant alleges that he along with police party proceeded for night patrolling and at about 3:00 am on 02.09.2020, he was directed by the S.H.O. to conduct raid on the information that petitioner and his associates have kept big consignment of liquor for sale in village Kauria, accordingly the police reached at the place of occurrence and recovered 812.940 litres of liquor.

Learned counsel for the petitioner submits that the



petitioner being son of Ramashankar Rai has been implicated in the present case and Ramashankar Rai has been granted bail vide order dated 13.12.2021 in Cr. Misc. No. 13764 of 2021. It is next submitted that the petitioner was not apprehended from the spot as such nothing was recovered from his conscious possession nor the place from where the liquor was recovered belongs to the petitioner.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

Considering the submissions made by the learned counsel for the petitioner, the 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 released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Runnisaidpur P.S. Case No. 429 of 2020 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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