

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30334 of 2022

Arising Out of PS. Case No.-28 Year-2021 Thana- AWTARNAGAR District- Saran

UDIT RAI Son of Arjun Rai Resident of village - Balua, P.S.- Doriganj,
District - Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dewendra Narayan Singh
For the Opposite Party/s : Mr.Md. Ataur Rahman

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 16-09-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Awatar Nagar P.S. Case no. 28 of 2021 instituted for the offence under Sections 30(a) of the Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of 15 litres from a bicycle and Ramesh Rai was apprehended on spot. He disclosed the name of the petitioner.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. Petitioner has no concern with the alleged recovery. The name of the petitioner has been disclosed in this case by



apprehended co-accused Ramesh Rai, before the police, which has got no evidentiary value in the eye of law. Co-accused Ramesh Rai has already been granted bail by a co-ordinate Bench of this Court vide order dated 29.4.2022 passed in Cr. Misc. No. 20809 of 2022 and the case of the petitioner stands on better footing to that of the co-accused.

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 Awatar Nagar P.S. Case no. 28 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 1st Exclusive Special, Excise Court, Saran at Chapra subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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