

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30103 of 2022

Arising Out of PS. Case No.-486 Year-2021 Thana- BARAUNI District- Begusarai

Gulshan Kumar Rai Son of Balmiki Rai Resident of Village - Salempur Tola,
Baro Ward No. 09, P.S. - Barauni (Garhara), Dist.- Begusarai.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prem Kumar

For the Opposite Party/s : Mr. Abhay Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 04-11-2022 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 Barauni P.S. Case no. 486 of 2021 instituted for the offence under Sections 30(a) of the Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of total 131.250 liters illicit India made foreign liquor from south-bari which is situated beside the house of Balmiki Rai.

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 or with the place of occurrence. The name of the petitioner has been disclosed in this case on confessional statement of the



co-accused, namely, Balmiki Rai who was arrested on spot. 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 Barauni P.S. Case no. 486 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 Exclusive Excise Judge-I, Begusarai subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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