

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48479 of 2021

Arising Out of PS. Case No.-101 Year-2021 Thana- MAHUA District- Vaishali

RAJEEV RAI @ RAJEEV KUMAR RAI Son of Ram Ishwar Rai @
Rameshwar Rai @ Baiju Rai Resident of Village - Sherpur, P.O.- Kadilpur,
P.S.- Jandaha, Distt.- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravish Mishra
For the Opposite Party/s : Mr.Shaheen Begum

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 07-03-2022 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 Mahua P.S. Case no. 101 of 2021 instituted for the offence
under Section 414 of the Indian Penal Code and Section 30(a) of
the Bihar Prohibition of Excise Act.

Prosecution case relates to recovery of 133.92 liters of
IMFL has been recovered from a Alto car, which was parked in
the poultry farm of co-accused Amrendra Singh.

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 with the alleged recovery or with the vehicle in question. The name of the petitioner has been disclosed in this case by the guard of the poultry farm. 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 Mahua P.S. Case no. 101 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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