

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58449 of 2021**

Arising Out of PS. Case No.-115 Year-2021 Thana- VAISHALI District- Vaishali

1. ARJUN RAI Son of Late Chanu Rai Resident of Village- Belka, P.S.- Vaishali, District-Vaishali.
2. Ravi Rai Son of Late Arjun Rai Resident of Village- Pakahi, P.S.- Kuesheshwar Ashthan, District- Darbhanga.
3. Sunny Rai Son of Arjun Rai Resident of Village- Pakahi, P.S.- Kuesheshwar Ashthan, District- Darbhanga.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shyameshwar Kumar Singh, Advocate
For the Opposite Party/s : Mr. Damodar Prasad Tiwary, APP

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER**

2 20-06-2022 At the very outset, learned counsel for the petitioners seeks permission to withdraw the petition of petitioner no.1, namely, Arjun Rai and petitioner no.3, namely, Sunny Rai.

Permission is accorded.

Accordingly, petition of petitioner no.1, namely, Arjun Rai and petitioner no.3, namely, Sunny Rai is dismissed as withdrawn.

Heard learned counsel for the petitioner no.2, namely, Ravi Rai and learned APP for the State.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 467, 468, 272 and 273/34 of the Indian Penal Code and Sections 30(a), 32, 33, 34 and 36 of the Bihar Prohibition and Excise Act, 2018.

It is a case of recovery of about 14.250 liters of



country made liquor from the water pump of Arjun Rai.

It is submitted by learned counsel for the petitioner that the petitioner has falsely been implicated in this case. He further submits that the petitioner no.2 (Ravi Rai) has no concern with the seized liquor because no incriminating article has been recovered from the conscious or constructive possession of the petitioner as well as the petitioner has not been apprehended at the spot.

Learned APP appearing for the State has opposed the prayer for anticipatory bail.

Considering the aforesaid submissions, let the petitioner, namely, Ravi Rai, in the event of his arrest or surrender before the court below within a period of four weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (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 in connection with Vaishali P.S.Case No.115 of 2021, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

Brajesh Kumar/-

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