

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49875 of 2022

Arising Out of PS. Case No.-123 Year-2021 Thana- SONEPUR District- Saran

RAJESH RAI @ RAJESH KUMAR Son of Ramesh Rai Resident of Village -
Sabalipur Pachhiyari Tola, P.s.- Sonepur, Distt.- Saran (Chapra).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Mishra

For the Opposite Party/s : Mr.Pramod Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 11-11-2022 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 Sonepur P.S. Case no. 123 of 2021 instituted for the offence under Sections 30(a), 38 and 40(i) of the Bihar Prohibition of Excise Act.

Prosecution case relates to recovery of 409.44 litres of foreign liquor which was kept hidden by digging the agricultural field of Baleshwar Yadav.

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 place of



occurrence. The name of the petitioner has been disclosed in this case by the labour who was working in the agricultural field. 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 Sonapur P.S. Case no. 123 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 2nd Additional Sessions Judge-cum-Special Judge, Excise, Saran subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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