

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61593 of 2021

Arising Out of PS. Case No.-88 Year-2021 Thana- ATHMALGOLA District- Patna

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SOHAN RAI S/o Late Babulal Rai Resident of Village- Ganjpar, P.S.-
Athmalgola, District- Patna. Petitioner/s

Versus

The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jay Ram Prasad, Adv.

For the Opposite Party/s : Mr. Renuka Ratnakar, APP

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 16-05-2022 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 Special Case No. 3061 of 2021 arising out of Athmalgola P.S. Case No. 88 of 2021 instituted for the offence under Section 30(a) of the Bihar Prohibition and Excise Act, 2018.

Prosecution case relates to recovery of 20 litres of country made liquor from two different places.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. Nothing has been recovered from the house of the petitioner rather the recovery has been made from the house of co-accused Fohan Rai and Deepak Kumar. Except suspicion, no material is against the petitioner. Petitioner has no concern with



the alleged recovery or with the place of occurrence.

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 Special Case No. 3061 of 2021 arising out of Athmalgola P.S. Case No. 88 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 Special Judge, Excise, Patna subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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