

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55495 of 2022

Arising Out of PS. Case No.-178 Year-2022 Thana- KOCHAS District- Rohtas

Sandeep Rai S/O Late Kamlesh Rai Resident Of Village- Sawan Bahar, P.S.-
Kargahar(Barahari O.P), Dist.- Rohtas At Sasaram

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Babu Nandan Prasad

For the Opposite Party/s : Mr. Ajay Kumar No. 2

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 17-11-2022 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 Kochas P.S. Case no. 178 of 2022 instituted for the offence
under Section 414 of the Indian Penal Code and Section 30(a) of
the Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of 720 ml
country made foreign liquor from bearing Registration No.
UP65-BU-1574 near vegetable market at Kochas.

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 of
illicit liquor or with the place of occurrence. It is further
submitted that the motorcycle in question does not belong to the



petitioner. The name of the petitioner has been disclosed in this case by the co-accused, namely, Dhirendra Kumar who was arrested on spot. Neither the petitioner was arrested on spot nor any incriminating article has been recovered from his conscious possession.

Learned APP appearing for the State has opposed the prayer of Bail.

Having heard learned counsel for the parties and considering the fact that the recovery of illicit liquor is meagre in quantity, 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 Kochas P.S. Case no. 178 of 2022, 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 Special Excise Court No.2 cum-Additional District and Sessions Judge Rohtas at Sasaram subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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