

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70918 of 2021**

Arising Out of PS. Case No.-163 Year-2021 Thana- GANGABRIDGE District- Vaishali

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Bahadur Ray, S/o Harinandan Ray, R/o village- Diwan Tok, P.S.-
Gangabridge, District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Priyesh Kumar, Advocate

For the Opposite Party/s : Mr. Jai Narain Thakur, A.P.P.
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CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA

ORAL ORDER

2 14-06-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Learned counsel for the petitioner is permitted to remove the defect(s), as pointed out by the office, if any, within a period of four weeks from today.

The petitioner is apprehending his arrest in Ganga Bridge P.S. Case No. 163 of 2021 registered for the offences punishable under Sections 30(a) and 30(c) of the Bihar Prohibition and Excise Act.

As per F.I.R., it is alleged that the petitioner along with other co-accused are involved in the business of making and selling illegal country made liquor and there is recovery of 10 litre country made liquor and several equipment's of manufacturing of the same from banana orchard.

Learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in the present case and he has been roped in this case only on the basis



of suspicion. He further submits that recovery of liquor was made from banana orchard and petitioner has no concern with that banana orchard. Petitioner has got no criminal antecedent.

Learned A.P.P. for the State considered the fact that the recovery of liquor was made from the banana orchard.

Having heard learned counsel for the parties and considered the fact that there is no recovery made from conscious possession of the petitioner, he has got no criminal antecedent, as such, I am inclined to grant anticipatory bail to the petitioner. Let the petitioner, above named, in the event of his arrest/surrender before the learned court below within a period of four weeks from the date of receipt/production of a copy of this order, is directed to be released on bail on furnishing bail bond 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 Ganga Bridge P.S. Case No. 163 of 2021, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sunil Dutta Mishra, J)

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