

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.2314 of 2022**

Arising Out of PS. Case No.-162 Year-2021 Thana- FATUA District- Patna

RAJU RAI S/o Sri Aash Narayan Rai R/V- Mirampur, P.S.- Raghapur, Distt. -  
Vaishali.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Vijay Kumar Sinha  
For the Opposite Party/s : Mr.Asha Devi

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

3      27-09-2022                      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 Fatuha P.S. Case no. 162 of 2021 instituted for the offence under Section 30(a) of the Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of 183.750 litres of illicit liquor which were got unloading from a pick-up van.

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 vehicle in question. On the basis of suspicion, the name of the petitioner has been dragged in the present case. 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 Fatuha P.S. Case no. 162 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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