

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4870 of 2023

Arising Out of PS. Case No.-294 Year-2022 Thana- MOHAMMADPUR District- Gopalganj

SHANKAR RAY @ SHANKAR RAI S/O MARAI RAY Resident of village-
Gopalpur, P.O.- Harpur, Tengrahi, P.S.- Mohammadpur, District- Gopalganj.

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Akshay Ashish

For the Opposite Party/s : Mr.Akbar Ali

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 07-04-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner apprehends his arrest in a case registered for the offence punishable under Section 30(a) of Bihar Prohibition and Excise Act.

31.86 litres of foreign liquor has been recovered from the straw kept hidden in front of the house of petitioner. The petitioner is said to have fled away from the place of occurrence after seeing the police.

Learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in the present case. It is submitted that the petitioner has got no criminal antecedent as stated in paragraph-3 of the bail application. It is further submitted that nearby people disclosed



the name of the petitioner. It is lastly submitted that there is no recovery from conscious possession of the petitioner.

Petitioner is agree to deposit a sum of Rs.20,000/- (rupees twenty thousand) in the account of Bihar State Bar Council Welfare Fund, bearing Account No.31861041899, IFSC Code: SBIN0010340, High Court Campus Branch, Patna.

Taking into consideration the fact that there is no recovery from the conscious possession of the petitioner, let petitioner, above named, in the event of his arrest or surrender before the learned court below within a period of six weeks from today, be enlarged on bail on furnishing bail bond of Rs.25,000/- (rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of learned A.D.J.-II-cum-Special Judge, Excise-I, Gopalganj in connection with Mohammadpur P.S. Case No.294 of 2022, subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure as well as subject to the further conditions that:

(i) One of the bailors will be his own blood relative, preferably, father, mother, brother, sister and/or his wife.

(ii) The petitioner shall not indulge himself in any similar offence till conclusion of the trial.



The bail bond of the petitioner shall be accepted by
the learned court below on showing receipt of deposit of the
aforesaid amount in Bihar State Bar Council Welfare Fund.

(Anjani Kumar Sharan, J)

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