

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.7844 of 2023**

Arising Out of PS. Case No.-124 Year-2020 Thana- RAGHOPUR District- Vaishali

SHANKAR RAY S/O KAILASH RAY R/v- Litiayahi, P.S.- Raghapur  
(Rustampur O.P), District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

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

For the Opposite Party/s : Mr.Shyam Bihari Singh, Addl Public Prosecutor

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH**  
**ORAL ORDER**

2      18-04-2023                      Heard learned counsel for the petitioner and the State.

Petitioner apprehends arrest in a case registered for the offence punishable under Section 30a of the Bihar Prohibition and Excise Act.

Prosecution case is that 70.530 liters foreign liquor was recovered from a hut which is said to be joint property of the petitioner and co-accused Ramashray Roy.

Learned counsel appearing for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. petitioner denies ownership of the hut. No incriminating material has been recovered from the conscious possession of the petitioner and he is no way connected with the aforesaid recovery. Similarly situated co-accused has already been allowed bail by a co-ordinate bench of this Court vide para



12 of the bail petition. Petitioner has got no criminal antecedent.

Considering the facts of the case, in the event of arrest/surrender within six weeks from today, let the petitioner, above named, 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 the Exclusive Special Judge, Excise Court No. II cum Additional Sessions Judge, Vaishali at Hajipur in Raghapur (Rustampur OP) Police Station Case No. 124 of 2020, subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure.

**(Prabhat Kumar Singh, J)**

Shashi

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