

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7692 of 2023

Arising Out of PS. Case No.-360 Year-2022 Thana- PAROO District- Muzaffarpur

GIRISH RAI S/O SUKHDEV RAI R/v- Matihani, P.S.- Paroo, District-
Muzaffarpur

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Priyesh Kumar

For the Opposite Party/s : Mr. Nitya Nand Tiwary

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 13-04-2023 Heard learned counsel for the petitioner and
learned APP for the State.

The petitioner is apprehending his arrest in a case registered for the offence punishable under Sections 30(a), 31, 32, 33 & 41(A) of the Bihar Prohibition and Excise Act.

Learned counsel for the petitioner submits that petitioner is innocent and has been falsely implicated in this case. He submits that there is no recovery from the conscious possession of the petitioner rather 90 litres of foreign liquor is said to have recovered from the house of the co-accused Arun Kumar. He further submits that the nearby people disclosed the name of the petitioner that he is also involved in the sale and purchase of the illicit liquor. He submits that similarly situated other co-accused person, namely, Arun Rai has been granted



anticipatory bail by a Coordinate Bench of this Court vide order dated 18.11.2022 passed in Cr. Misc. No.58534 of 2022. He further there is no recovery made from the conscious possession of the petitioner. He submits that petitioner has got two criminal antecedents in similar nature as stated in para-3 of the bail application.

Petitioner is agreed to deposit a sum of Rs. 30,000.00/- (Rupees Thirty Thousand) in the account of Bihar State Bar Council Welfare Fund, bearing Account No. 31861041899, IFSC Code: SBIN0010340, State Bank of India, High Court Campus, Patna.

Considering the facts and circumstance of the case and the fact nothing recovered from the conscious possession of the petitioner, let the above named petitioner, 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 the learned court below where the case is pending/successor court in connection with Paroo P.S. Case No. 360 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C., with further conditions:



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

(2) 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 the aforesaid amount in the account of Bihar State Bar Council Welfare Fund, Patna.

(Anjani Kumar Sharan, J)

ajay/-

U		T	
---	--	---	--

