

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25381 of 2023

Arising Out of PS. Case No.-905 Year-2022 Thana- SONEPUR District- Saran

1. RAMESH RAI @ TEILAGI RAI @ TILANGI RAI SON OF SUPAN RAY
Resident of village - Sabalpur Naurasiya, P.S. - Sonepur, Distt. - Saran
2. SHESH NATH RAI @ PHITILAL RAI SON OF SUPAN RAY Resident of
village - Sabalpur Naurasiya, P.S. - Sonepur, Distt. - Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Ms. Asha Devi, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 22-05-2023 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

Learned counsel for the petitioners seeks permission
to withdraw the present anticipatory bail application with
respect to petitioner no.2, Shesh Nath Rai @ Phitilal Rai.

Permission is accorded.

Accordingly, the present anticipatory bail application
with respect to petitioner no.2 is dismissed as withdrawn.

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

Learned counsel for the petitioner submits that the



petitioner has antecedent of one case and allegation is of recovery of 43.20 litres of liquor from *dalan* of the petitioner and 45 litres from the house of Manish.

Learned counsel for the petitioner submits that the petitioner was not apprehended from the spot as such nothing was recovered from his conscious possession, it is next submitted that even *dalan* is a place outside the house and is an open space which is accessible to public at large. It is further submitted that no prudent person would use his own premises for committing an occurrence and thus would get implicated by creating evidence against himself and at the same time, the place would also be seized. It is next submitted that petitioner came to be implicated based on secret information because of his antecedent.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

Considering the submissions made by the learned counsel for the petitioner, the petitioner namely, Ramesh Rai @ Teilagi Rai @ Tilangi Rai, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 5,000/- (Rupees 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 Sonapur P.S. Case No. 905 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

Rishi/-

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

