

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34536 of 2023

Arising Out of PS. Case No.-11 Year-2023 Thana- SITAMARHI District- Sitamarhi

Raj Kumar Rai @ Raj Kumar Ray S/O Sanjay Ray R/O Village- Kodwara,
P.S.-Sahiyara, Dist.-Sitamarhi

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

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

For the Opposite Party/s : Mr. Md. Shakir Ahmad, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 21-07-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner apprehend his arrest in connection with
Sitamarhi P.S. Case No. 11 of 2023 registered for the offence
punishable under Section 30 (a) of the Bihar Prohibition and
Excise Act.

As per prosecution case, 93 liters Nepali liquor was
recovered from the house of the co-accused Manoj Kumar and
he told the police that he had given the said room to the
petitioner and another co-accused on rent.

Learned counsel for the petitioner submits that
petitioner is a student who had taken the room at rent from the
co-accused Manoj Kumar and he left the room before the date
of the incident because of misbehavior by the landlord



Manoj Kumar. It is further submitted that he is innocent and has committed no offence. No incriminating article has been recovered from the possession of the petitioner and he has no concern with seized illicit liquor. Petitioner has no criminal antecedent.

Learned APP for the State opposed the prayer for anticipatory bail.

Having regard to the facts and circumstances of the case, and submissions of learned counsel for the parties, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount to the satisfaction of the Exclusive Special Excise Court No. II, Sitamarhi in connection with Sitamarhi P.S. Case No. 11 of 2023, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973.

(Sunil Dutta Mishra, J)

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