

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.35488 of 2023**

Arising Out of PS. Case No.-84 Year-2023 Thana- MAHNAR District- Vaishali

Prakash Rai @ Prakash Kumar Son Of Rajeshwar Rai @ Rajeshwar Rai  
Resident Of Village- Narayanpur, Dedhpura, Ps- Mahanar, Distt- Vaishali  
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Anil Kumar

For the Opposite Party/s : Mr. Bishweshwar Ram

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN**  
**ORAL ORDER**

3      08-08-2023                      Heard learned counsel for the petitioner and  
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 272, 273, 414 of the Indian Penal Code and Sections 30 (a), 32(ii)(iii), 36, 41(i)(ii) of the Bihar Prohibition and Excise Act.

3. Allegation against the petitioner is that he is involved in business of illegal wine with other accused persons.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. He submits that no incriminating article has been recovered from the conscious physical possession of the petitioner rather 2999.16 liters of foreign liquor is said to have been recovered from the place of occurrence. He submits that the apprehended person disclosed the name of the petitioner.



Petitioner has no criminal antecedent as mentioned in para-3 of this application.

5. Petitioner is agreed to deposit a sum of Rs.2,00,000.00 (Rupees Two Lakhs) in the account of Patna High Court Legal Services Committee, Patna, bearing Account No.1413010060836, IFSC Code: PUNB141320, Punjab National Bank, Bar Council Branch, Patna.

6. Having regard to the facts and circumstances of the case, 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.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending/successor Court in connection with Mahanar P.S. Case No. 84 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C, 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.

7. The bail bond of the petitioner shall be accepted by



the learned Court below on showing receipt of deposit of the  
aforesaid amount in the account of Patna High Court Legal  
Services Committee, Patna.

**(Anjani Kumar Sharan, J)**

devendra/-

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