

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41391 of 2023

Arising Out of PS. Case No.-235 Year-2023 Thana- BUXAR District- Buxar

GAUTAM KUMAR RAI @ RISHI RAJ Son of Late Madan Rai Resident of -
Ward No.- 21, Sohani Patti, P.S.- Buxar (Town), District - Buxar.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Ajit Kumar

For the Opposite Party/s : Mr. Kumar Ranjit Ranjan

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 08-08-2023 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner is apprehending his arrest in a
case registered for the offences punishable under Section 30(a)
of the Bihar Prohibition and Excise Act.

3. 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 16.85 liters of foreign liquor
is said to have recovered from a poultry farm. He submits that
petitioner is made accused in the present case because he is
owner of the said poultry farm. He submits that there is no
recovery made from the conscious possession of the petitioner.
He further submits that petitioner has got one criminal
antecedent in similar nature as stated in para-3 of the bail



application.

4. Petitioner is agreed to deposit a sum of Rs. 30,000.00/- (Rupees Thirty Thousand) in the account of Patna High Court Legal Services Committee, Patna, bearing Account No. 1413010060836, IFSC Code: PUNB0141320, Punjab National Bank, Bar Council Branch, Patna.

5. Considering the facts and circumstance of the case, 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 Buxar (Town) P.S. Case No.235 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C., with further conditions:

(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.

6. 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 Patna High Court Legal Services
Committee, Patna.

(Anjani Kumar Sharan, J)

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