

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42031 of 2022

Arising Out of PS. Case No.-572 Year-2021 Thana- MASHRAK District- Saran

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GUDDU RAI SON OF LATE PASPAT RAI R/O VILLAGE- GANGOLI,
P.S.- MASHARAK, DISTRICT- SARAN AT CHAPRA

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Kumar Binode Bariar, Advocate

For the Opposite Party/s : Mr.Gauri Shankar Gupta, APP

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

8 18-04-2023 Heard Mr. Kumar Binode Bariar, learned Counsel

for the petitioner and Mr. Gauri Shankar Gupta, learned

Additional Public Prosecutor for the State.

2. The petitioner seeks pre-arrest bail in connection
with Masharak P.S. Case No. 572 of 2021, for the offences
punishable under Sections 30/30(a), 41 of Bihar Prohibition &
Excise Act, 2016.

3. Prosecution story, in brief is that 174.24 litres of
illicit liquor was recovered from the pick up van near the house
of the petitioner.

4. Learned counsel appearing on behalf of the
petitioner informs this Court that the petitioner was near the
place and no recovery has been made from his possession.

5. Learned APP has opposed the prayer for grant of



bail to the petitioner.

6. The Court below is directed to obtain for a report from the District Transport Officer to verify as to whether the vehicle bearing Registration No. BR-04GA-6526 is registered in the name of the petitioner or not and in case the same is not registered in the name of the petitioner, the petitioner, named above, in the event of his arrest or surrender before the Court below within four weeks, be released on pre-arrest bail on furnishing bail bond of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned 2nd Exclusive Special Excise Court, Saran at Chapra, in connection with Masharak P.S. Case No. 572 of 2021, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure and with a further condition that if the statement made in paragraph No.3 of the present bail application with respect to the criminal antecedent of the petitioner is found to be incorrect, this order will automatically will lose its force.

(Purnendu Singh, J)

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