

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45088 of 2023

Arising Out of PS. Case No.-49 Year-2023 Thana- VIDYAPATINAGAR District- Samastipur

SANTOSH RAY @ SANTOSH RAI Son of Vinod Ray Resident of village -
Sherpur, P.S.- Vidyapatinagar, District - Samastipur

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Mahendra Pratap, Advocate

For the Opposite Party/s : Mr.Lakshmi Kant Sharma, Addl Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 09-08-2023 Heard learned counsel for the petitioner and the State.

2. Petitioner apprehends arrest in a case registered for the offence punishable under Section 30a of the Bihar Prohibition and Excise Act.

3. Prosecution case is that 4.875 liters foreign liquor was recovered from the maize field of the petitioner.

4. Learned counsel appearing for the petitioner submits that the recovery is from an open field. No incriminating material has been recovered from the conscious possession of the petitioner and he is no way connected with the aforesaid recovery. Petitioner claims clean antecedent.

5. Considering the facts of the case, this pre-arrest bail petition is allowed. In the event of arrest/surrender within six weeks from today, let the petitioner, above named, be



released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Special Judge, Excise Court I, Samastipur in Vidyapatnagar Police Station Case No. 49/2023, subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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