

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45764 of 2023

Arising Out of PS. Case No.-153 Year-2023 Thana- SARAI RANJAN District- Samastipur

RAJU RAI SON OF DEVENDRA RAY RESIDENT OF VILLAGE-
NAUACHAK, PS- SARAIRANJAN, DISTT- SAMASTIPUR,

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajeev Ranjan Sinha, Advocate

For the Opposite Party/s : Mrs. Madhuri Lata, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 04-08-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner apprehends his arrest in connection with Sarairanjan P.S. Case No. 153 of 2023 for the offence registered under section 30(a) of the Bihar Prohibition and Excise Act lodged on 20.05.2023 by the informant, Ravikant Kumar.

As per the prosecution story, the recovery is from the ‘hut’ of Ravi Mahto which was raided by the police upon secret information and recovered 22.125 litres of country made foreign liquor. Accordingly, the FIR.

It is the case of the petitioner that he is not Ravi Mahto and nothing to do with the alleged recovery/seizure and only because the locals named him found himself implicated.



Learned APP for the State, on the other hand, opposes the prayer for anticipatory bail.

Considering the fact that the alleged recovery/seizure is from the '*hut*' of Ravi Mahto, the petitioner do not have criminal antecedent, this Court is inclined to extend him privilege of anticipatory bail.

Let the petitioner in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise II, Samastipur in connection with Sarairanjan P.S. Case No. 153 of 2023 subject to condition as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family member of the petitioner, who shall provide official document to show his *bona fide*;

(ii) the petitioner shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial court itself;

(iii) the petitioner shall appear before the concerned



police station every month for next one year to mark attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

With the aforesaid observations, the anticipatory bail application stands allowed.

(Rajiv Roy, J)

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