

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47295 of 2023

Arising Out of PS. Case No.-523 Year-2022 Thana- BHAGWAN BAZAR District- Saran

RAHUL RAY @ RAHUL KUMAR RAY Son of Jogindra Ray @ Joga Ray
Resident of Village - Jaan Tola, Police Station-Rivilganj, District-Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Singh, Advocate.

For the Opposite Party/s : Dr. Kumar Uday Pratap, APP.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 11-08-2023 Heard Mr. Mukesh Kumar Singh, learned counsel
appearing on behalf of the petitioner and Dr. Kumar Uday
Pratap, learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection
with Bhagwan Bazar P.S. Case No. 523 of 2022 registered for
the offence punishable under Section 30(a) of the Bihar
Prohibition and Excise Act.

3. As per the allegation made in the F.I.R., 200 litres
of whisky of different brands were recovered from an orchard.
Petitioner is said to have fled away from the place of
occurrence.

4. Learned counsel appearing on behalf of the
petitioner submitted that the petitioner is innocent and he has
falsely been implicated in the present case just because one case



under Excise Act is pending against him. The alleged recovery is from an orchard which is an open place and that orchard does not belong to the petitioner.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Having considered the nature of allegation made in the F.I.R., the petitioner, above named, is directed to be released on pre-arrest bail, in the event of his arrest or surrender before the Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge-second-cum-First Exclusive Special Judge, Excise, Chapra, Saran in connection with Bhagwan Bazar P.S. Case No. 523 of 2022, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Purnendu Singh, J)

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