

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49658 of 2023

Arising Out of PS. Case No.-231 Year-2023 Thana- ARA MUFFSIL District- Bhojpur

1. Krishna Rai @ Krishna Yadav, Male, aged about 55 years, Son of Ramayan Rai.
2. Manu Rai, Male, aged about 45 years, Son of Swami Nath Rai.
Both are residents of Village - Hasanpura, P.S.- Ara Muffasil, District- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raju Kumar Singh, Advocate
For the Opposite Party/s : Mr. Ram Anurag Singh, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 11-08-2023 Learned counsel for the petitioners submits that
petitioner no. 2, namely Manu Rai has already been arrested.

2. Accordingly, he may be permitted to withdraw the
application against petitioner no. 2.

3. Permission is accorded.

4. Accordingly, the petition against petitioner no. 2,
namely Manu Rai, is dismissed as withdrawn.

5. Heard learned counsel for the petitioner no. 1,
namely Krishna Rai @ Krishna Yadav and learned APP for the
State.

6. The petitioner no.1 apprehends his arrest in
connection with Ara Muffasil P.S. Case No. 231 of 2023 dated



30.05.2023 instituted under Section 30 (a) of the Bihar Prohibition and Excise Amendment Act, 2018.

7. As per the prosecution case, 40 liters of illicit liquor was recovered from the Jute bag (Bora) near Jamira Canal. The allegation against the petitioner is that he supplied the said liquor.

8. Learned counsel for the petitioner no. 1, submits that the petitioner no. 1 is innocent and has falsely been implicated in this case. He has no knowledge about the said occurrence and has no concerned with the alleged seized liquor. There is no material against the petitioner no. 1 and he has no criminal antecedent.

9. Learned APP opposes the prayer for anticipatory bail.

10. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of his arrest or surrender before the Court below within six weeks from today, the above named petitioner no. 1, namely Krishna Rai @ Krishna Yadav be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge Excise Court No. 1, Bhojpur at Ara in



connection with Ara Muffasil P.S. Case No. 231 of 2023, subject to the conditions laid down in Section 438 (2) of the Code of Criminal Procedure, 1973.

(Sunil Dutta Mishra, J)

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