

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51121 of 2023

Arising Out of PS. Case No.-78 Year-2023 Thana- PHENHARA District- East Champaran

Dwarik Rai @ Dwarika Rai Son Of Late Ganesh Rai Resident Of Village-
Rajpur Kawal Marpa, Ps- Fenhara, Distt- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anuj Kumar, Advocate

For the Opposite Party/s : Mr. Anil Kumar Singh No. 1, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

- 2 18-08-2023 Heard learned counsel for the petitioner and the State.
2. Petitioner apprehends arrest in a case registered for the offences punishable under Sections 272, 273 of the Indian Penal Code and Sections 30(a), 32(iii) and 41(i) of the Bihar Prohibition and Excise Act.
3. As per prosecution case, 35 litres country made liquor has been recovered from behind the house of the petitioner.
4. Learned counsel for the petitioner submits that alleged recovery has been made from an open place. No incriminating material has been recovered from the conscious possession of the petitioner. Petitioner claims clean antecedent.
5. Considering the aforesaid facts and circumstances of the case, this anticipatory bail is allowed and it is ordered that



let the above named petitioner in the event of his arrest/surrender before the court below within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Special Judge, Excise Court No. 2, East Chmaparan, Motihari in connection with Phenhara P. S. Case No. 78 of 2023, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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