

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59011 of 2023

Arising Out of PS. Case No.-278 Year-2023 Thana- BAKHTIYARPUR District- Patna

Moti Rai @ Moti Kumar, male, aged about 26 years, Son of Biraj Rai
Resident of Village- Naya Tola Dedaur, PS-Bakhtiyarpur and District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Shekhar Kumar Singh, Advocate
For the State	:	Mr. Nawal Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 06-09-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in connection with Bakhtiyarpur P.S. Case No. 278 of 2023 dated 25.06.2023 instituted under Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, there is recovery of 4.875 litres of illicit foreign liquor from the house of the petitioner.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. The petitioner or his family members is not residing in the house from where the alleged recovery has been made. Nothing has been recovered from the conscious possession of



the petitioner. The petitioner has no criminal antecedent.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner 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 Special Judge Excise, Barh, Patna in Bakhtiyarpur P.S. Case No. 278 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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