

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58114 of 2023

Arising Out of PS. Case No.-4 Year-2021 Thana- NAUTAN District- Siwan

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Bunty Rai @ Swet @ Banti Kumar Singh Son Of Guddu Rai Resident Of
Village- Khalwanm, Ps- Nautan, Dist- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Tiwary, Advocate

For the Opposite Party/s : Mr. Kanhaiya Kishore (App.100)

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CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

2 13-09-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in connection with
Nautan P.S. Case No. 04 of 2021 dated 08.01.2021, instituted
for the offence punishable under Sections 30(a) and 44(i) of the
Bihar Prohibition Excise Act, 2016.

3. As per the case of prosecution, 51.400 litres country
made liquor has been recovered from the seat of the motorcycle
and two persons were arrested, who disclosed the name of the
petitioner.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and he has been falsely implicated in this
case. It is further submitted that expect confessional statement
of apprehended accused persons, nothing has been recovered



from the possession of the petitioner. One of the co-accused person, namely, Chiku Ray has been granted bail by a Co-ordinate Bench of this Court *vide* order dated 24.02.2022 passed in Criminal Miscellaneous No. 55409 of 2021. Lastly, it has been submitted that he has no criminal antecedents.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioner in connection with Nautan P.S. Case No. 04 of 2021, he shall be released on anticipatory 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. II, Siwan, subject to condition as laid down under Section 438(2) of the Cr.P.C..

(Khatim Reza, J)

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