

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.204 of 2023

Arising Out of PS. Case No.-110 Year-2021 Thana- BARH District- Patna

Nitish Rai S/O Raja Rai Resident Of Village- Pachhiyari Malahi, P.S.- Barh,
District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kr Singh No.1, Adv
For the Opposite Party/s : Mr.Abhay Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

3 04-09-2023 Heard learned counsel for the petitioner and

learned counsel for the Additional Public Prosecutor for the

state.

2. The petitioner apprehends his arrest in
connection with Barh P.S.Case No. 110 of 2021 instituted
under Section 30(a) of Bihar Prohibition & Excise Act.

3. As per the prosecution case, total 274 liters
country made liquor was recovered from E- Rickshaw.

4. Learned counsel for the petitioner submits that
petitioner is an innocent person and has committed no
offence. There is vague and omnibus allegation against the
petitioner on the basis of suspicion. He further submits that
petitioner is not the owner or driver of the said Rickshaw



and he is a man of fair antecedent.

5. Learned APP for the State Opposes the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and submissions of the learned counsel for the parties, in the event of his 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 to each to the satisfaction of the learned Special Judge Excise, Barh, Patna in connection with Barh P.S.Case No. 110 of 2021, 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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