

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.75119 of 2023**

Arising Out of PS. Case No.-214 Year-2023 Thana- SARAI District- Vaishali

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SURAJ ROY S/O- RAJENDRA ROY R/O- VILLAGE- MAJHAULI  
MOHAMMADPUR BUJURG, P.S.- SARAI, DIST.- VAISHALI

... .. Petitioner/s

Versus

THE STATE OF BIHAR, PATNA

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Rama Kant Singh, Advocate

For the Opposite Party/s : Mr.Shailendra Kumar, APP

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH  
SINGH**

ORAL ORDER

2      07-12-2023                      Heard learned counsel for the petitioner and learned  
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in a case in connection with Sarai P.S. Case No. 214 of 2023 dated 21.08.2023 registered for the offences punishable u/ss 30(a) and 36 and 41(i) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, 597.240 litres of illicit country made foreign liquor was recovered from the bushes beside the boundary adjacent to the field belonging to Kayam Khan.

4. Learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in this case. Nothing has been recovered from the possession of the



petitioner rather the recovery has been made from the open place. It is further submitted that the petitioner has no concern with the alleged recovery. Hence, no case is made out against the petitioner. The petitioner has no criminal antecedent as stated at para 3 of the bail petition.

5. Learned A.P.P. for the State has vehemently opposed the anticipatory bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court concerned, Vaishali at Hajipur in connection with Sarai P.S. Case No. 214 of 2023, subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure.

7. The application stands allowed.

**(Chandra Prakash Singh, J)**

Gautam/-

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