

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74273 of 2022

Arising Out of PS. Case No.-177 Year-2022 Thana- RAJPUR District- Buxar

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MRITUNJAY KUMAR RAI @ MRITUNJAY RAI Son of Vidyasagar Rai
R/O Vill.- Dihari, P.S.- Rajpur, Dist.- Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Dr. Kamal Deo Sharma, Advocate.

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

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

ORAL ORDER

2 17-02-2023 Learned counsel for the petitioner is permitted to

remove the defect(s), as pointed out by the office, if any, within

a period of three weeks from today.

Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is apprehending his arrest in connection
with Rajpur P. S. Case No. 177 of 2022 registered for the
offences punishable under Sections 30 (a), 37(ii) of the Bihar
Prohibition and Excise Act.

As per the prosecution case, total 6.9 litres of illicit
liquor was recovered from the two motorcycles. The
apprehended persons disclosed the name of the petitioner.

Learned counsel for the petitioner has submitted that
the petitioner has falsely been implicated in this case. Nothing
has been recovered from the conscious possession of the
petitioner. The petition has neither any concern with the said



motorcycles nor with the alleged recovery. The petitioner was not present at the place of occurrence. The petitioner is not the owner of the motorcycle in question. Learned counsel has further submitted that no case is made out against the petitioner. The petitioner has no criminal antecedent as stated in para 3 of the bail petition.

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

Considering the aforesaid facts and circumstances, 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, Buxar in connection with Rajpur P. S. Case No. 177 of 2022, subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure.

The application stands allowed.

(Chandra Prakash Singh, J)

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