

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4773 of 2024

Arising Out of PS. Case No.-243 Year-2023 Thana- SARAI District- Vaishali
=====

Pawan Rai son of Bindeshwar Rai Village- Matiyara Tok Sonbarsha Ps-
Sarai Dist- Vaishali

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Vinod Pandey, Adv.
For the Opposite Party/s : Mr.Rajesh Kumar, APP

=====

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 213-02-2024
1. Heard learned counsel for the petitioner and the learned A.P.P. for the State.

2. The petitioner seeks bail in anticipation of his arrest in a case registered for the offenses punishable under Sections 272, 273 and 34 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Amendment Act.

3. The learned counsel appearing for the petitioner submits that the petitioner is person of clean antecedent and the allegation is of recovery of 783 liters of liquor from a room of the shop of the petitioner.

4. The learned counsel for the petitioner next submits that the petitioner is a student and he does not own and run the shop. It is next submitted that since the shop belongs to the father of the petitioner, as such, the petitioner also came to be



implicated. It is next submitted that concept of deemed possession and presumed offender has been done away after amendment in the year 2018.

5. The learned A.P.P. opposes the anticipatory bail application of the petitioner.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner, above named, in the event of his arrest or surrender before the court below within a period of six weeks, is directed to be released on bail on furnishing bail bonds of Rs. 5,000/- (Five thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise-II, Hajipur, Vaishali in connection with Sarai P.S. Case No. 243 of 2023 subject to the conditions laid down under Section 438(2) of the Cr.P.C.

(Satyavrat Verma, J)

brajesh/-

U		T	
---	--	---	--

