

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5845 of 2024

Arising Out of PS. Case No.-496 Year-2023 Thana- VAISHALI District- Vaishali

Nanhik Rai @ Nanhaki Rai @ Nanki Ray S/o Late Butan Rai R/o Village -
Karneji P.S. - Vaishali (Belsar O.P.) District - Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Bela Singh

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

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 16-02-2024 1. Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in anticipation of his
arrest in a case registered for the offences punishable under
Sections 30(a), 32(2), 41(1) of the Excise Act.

3. The learned counsel for the petitioner submits that
the petitioner is a person with clean antecedent and the
allegation is of recovery of 198 litres of liquor from a shrub
beside the road near the bore-well of Amarjeet Rai.

4. The learned counsel for the petitioner submits that
petitioner was not arrested from the spot, as such, nothing was
recovered from his conscious possession. It is also submitted
that even alleged recovery is from a place, which does not
belong to the petitioner and which is accessible to public at



large. It is further submitted that petitioner, based on secret information, came to be implicated, which is the easiest way to implicate someone, when admittedly petitioner is a person with clean antecedent.

5. Learned A.P.P. opposes the bail application.

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 learned Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 500/- (Rupees Five Hundred) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Court No.II, Vaishali at Hajipur in connection with Vaishali (Belsar O.P.) P. S. Case No.496 of 2023, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

(Satyavrat Verma, J)

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