

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45409 of 2024

Arising Out of PS. Case No.-286 Year-2024 Thana- PIRBAHOR District- Patna

Rajesh Rai S/o Vijay Rai, R/o Village- Musallahpur P.S. Pirbahore, District-Patna, at present resident of Sabalpur, P.S. Pirbahore, District-Patna.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Akhauri Kamal Kishore Sahay, Advocate.

For the Opposite Party/s : Mr. Tapeswar Sharma, APP.

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 24-07-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Pirbahore P.S. Case No.286 of 2024 instituted under Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, there is total recovery of 4 litre wine from a lane near Kargil Gali.

4. Learned counsel for the petitioner submits that petitioner is innocent and has been falsely implicated in this case. He further submits that petitioner was neither present on the spot nor anything has been recovered from the possession of petitioner and the place of occurrence is open place which is accessible by the public. Learned counsel submits that petitioner has no criminal antecedent and he undertakes to cooperate in the



investigation.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of 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/- (Rupees Ten Thousand) with two sureties of the like amount to each to the satisfaction of the learned Special Judge-Excise, 2nd, Patna in connection with Pirbahore P.S. Case No.286 of 2024, 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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