

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49749 of 2024

Arising Out of PS. Case No.-50 Year-2024 Thana- RAGHOPUR District- Vaishali

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TEJ KUMAR @ TEJ PRATAP KUMAR S/O JAYMANGAL RAY R/O
VILLAGE- JAFRABAD TOK, P.S- RAGHOPUR (RUSTAMPUR O.P.),
DISTT.- VAISHALI.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner : Mr. Shivjee Singh, Advocate
For the State : Mr. Satya Nand Shukla, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 20-09-2024 Heard learned counsels for the parties.

2. The petitioner apprehends his arrest in a case registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Amendment Act.

3. As per prosecution case, 110 litres country made liquor and 3500 litres Jawa has been recovered from an open place.

4. It is submitted by learned counsel appearing on behalf of the petitioner that petitioner is innocent and has falsely been implicated in this case merely on suspicion. Nothing has been recovered from conscious possession of this petitioner. The alleged illicit liquor has been recovered from an open place,



which is accessible to one and all. Petitioner has got no criminal antecedents of similar nature. Similarly situated co-accused, namely Akhilesh Rai, has already been granted the privilege of anticipatory bail by this Hon'ble Court vide order dated 22.05.2024 passed in Cr. Misc. No. 32818 of 2024.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioner.

6. Considering the aforesaid facts and circumstances, the fact that nothing has been recovered from conscious possession of this petitioner and claim based on parity, the prayer for grant of anticipatory bail to the petitioner is allowed.

7. Accordingly, in the event of arrest/surrender within a period of eight weeks from today, let the above named petitioner be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court No. II-cum-Additional Sessions Judge, Vaishali at Hajipur, in connection with Raghapur P.S. Case No. 50 of 2024, subject to condition as laid down under Section 438(2) of the



Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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