

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55432 of 2024

Arising Out of PS. Case No.-187 Year-2024 Thana- MASHRAK District- Saran

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Bihari Kumar @ Bihari Rai son of Makun Rai @ Mukund Rai village-
Mashrakh Gopal Bari (South Tola) P.S- Mashrakh Dist - Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar, Advocate

For the Opposite Party/s : Mr. Ram Anurag Singh, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 02-09-2024

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of anticipatory bail apprehending his arrest in connection with Mashrakh P.S. Case no. 187 of 2024 registered under section 30(a) of Bihar Prohibition and Excise Act.

3. As per the prosecution case, on information having been received and a raid being conducted, 22.6 litres of indian made foreign liquor was recovered and the co-accused Dhamendra Sah was taken into custody. It is further stated that on inquiry he disclosed that it was the petitioner herein who asked him to enter into the business of sale of liquor on the promise that they would split the profit between them.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case. No



incriminating article has been recovered from his possession. The only material against him in the F.I.R is the statement of co-accused made before police. The petitioner has no criminal antecedent.

5. Heard learned A.P.P. for the State.

6. Having heard learned counsel for the parties and taking into consideration the nature allegation against the petitioner in the F.I.R. together with the petitioner not having any antecedent under the Bihar Prohibition and Excise Act, 2016, it is directed that the petitioner, above named, in the event of his arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Mashrakh P.S. Case no. 187 of 2024 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned 2nd Exclusive Special Excise Judge, Saran at Chapra, subject to the conditions as laid down under section 438(2) of the Code of Criminal Procedure.

(Partha Sarthy, J)

Harsh/-

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