

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61504 of 2024

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

Shambhu Rai, Son of Late Parash Rai, R/V-Village- Gouri Tola , P.S- Maker,
District- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Anand Kishore Choudhary, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 20-09-2024

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 Maker P.S. Case no. 187 of 2024, registered under section 30(a) of Bihar Prohibition and Excise Act, 2016.

3. As per the prosecution case, while the accused managed to escape, 2.880 litres of liquor was recovered from behind the shop of the petitioner.

4. Learned counsel for the petitioner submits that no incriminating article has been recovered either from the petitioner's possession or from his shop. The alleged place of recovery is an open place accessible to all. The reason for false implication of the petitioner is his antecedent.

5. The application for anticipatory bail is opposed by learned A.P.P. for the State.



6. Having heard learned counsel for the parties and taking into consideration the allegations against the petitioner in the F.I.R. and no incriminating article having been recovered either from his possession or from his shop, 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 Maker 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 3rd Exclusive Special Excise Judge, Saran at Chapra.

(Partha Sarthy, J)

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