

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37523 of 2017

Arising Out of PS.Case No. -128 Year- 2017 Thana -MAHUA District- VAISHALI(HAJIPUR)

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Arvind Rai, S/o Kishori Rai, R/o Village-Khanpatti Supaul Taria, P.S.-
Mahua, District-Vaishali

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Rina Sinha

For the Opposite Party/s : Mr. Yogendra Kumar Singh (App)

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 05-09-2017 Heard learned counsel for the petitioner.

This is an application for bail in connection with Mahua P.S. Case No. 128 of 2017 registered for the offences punishable under Section 414 of the Indian Penal Code and Sections 30(A), 32(ii), 38(ii) and 41(i) of Bihar Prohibition and Excise Act, 2016.

Petitioner is named in the FIR and allegation is of recovery of 262 litres of foreign liquor from the possession of one co-accused, who has named this petitioner.

Submission of learned counsel for the petitioner is that petitioner has falsely been implicated in this case. Further submission is that though he has been made accused in another case but the case is of the year 2015 and he is in custody for three months.

Heard learned APP also.

Having heard both sides and in view of facts and circumstances and also considering the fact that petitioner has not



been arrested at the spot and nothing has been recovered from his possession, let petitioner, above named, be released on bail on furnishing bail bond of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of Additional Sessions Judge-II, Vaishali at Hajipur, in connection with Mahua P.S. Case No. 128 of 2017, subject to the following conditions :-

- (1) One of the bailors shall be a local person having sufficient immoveable properties within the jurisdiction of the court concerned,
- (2) Petitioner will co-operate in trial and appear in court on each and every date fixed in the case and on failure to appear without any genuine ground or without permission of court, his bail bond shall be cancelled.

(Vinod Kumar Sinha, J)

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