

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17855 of 2018

Arising Out of PS.Case No. -344 Year- 2017 Thana -MALSALAMI District- PATNA

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Mogal Rai @ Gopal Rai @ Sanjay Rai, son of Ramji Rai, resident of village
- Jahangirpur, Police Station - Malsalami and District - Patna.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manish Kumar No-2

For the Opposite Party/s : Mr. Sri Shailendra Kumar -2

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA
ORAL ORDER

2 29-03-2018 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner is accused in connection with Special

Case No. 9053 of 2017 arising out of Malsalami P.S. Case No.

344 of 2017 registered under Sections 272 and 273 of the Indian

Penal Code and Sections 30(a), 38 and 41 of the Bihar Excise Act,

2016.

The accusation is that, on seeing the informant and

other police officials, two persons moving on motorcycle with a

bags started to flee away by leaving the motorcycle and bags. On

search, 40 bottles each containing 375 ML Indian made foreign

liquor and 70 bottles each containing 375 ML country made liquor

were recovered from the bags. On query, the informant came to



know that petitioner along with Sikandar Paswan were carrying the liquors belonging to Bickey Paswan for business purpose.

Learned counsel for the petitioner submits that petitioner was not apprehended on the spot rather his name has surfaced in the secret inquiry of the informant. It is further submitted that petitioner has no criminal antecedent and is in custody since 25.01.2018.

Having regard to the facts and the circumstances of the case, the petitioner above named, is directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Special Judge, Excise Act, Patna, in connection with Special Case No. 9053 of 2017 arising out of Malsalami P.S. Case No. 344 of 2017. Out of two sureties, one surety must be the close relative of the petitioner.

(Rajendra Kumar Mishra, J)

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