

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27353 of 2018

Arising Out of PS.Case No. -29 Year- 2018 Thana -UJIYARPUR District- SAMASTIPUR

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1. Dilip Rai S/o Hansraj Rai, R/o Vill.- Mayari, P.S.- Sarairanjan, District-Samastipur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bijay Bhushan Prasad

For the Opposite Party/s : Mr. Surendra Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL
ORAL ORDER

02 03-05-2018

Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner seeks bail in a case registered for the offence punishable under Section 47, 30(a), 38 (1), 38 (2), 41 (1) & 41 (2) of the Bihar Prohibition and Excise Act, 2016.

678.960 liters of foreign liquor is said to have been recovered from the abandoned house of Ram Kumar Rai located adjacent to the house of Ranjeet Rai, said to be dumped by the petitioner and other accused persons named in the F.I.R.

It is submitted by learned counsel for the petitioner that no incriminating article has been recovered from the conscious physical possession of the petitioner. He has no concern either with the seized liquor or the place of recovery. The identity



and genuineness of the source of information has not been mentioned in the F.I.R. He has been falsely implicated in this case due to dirty village politics. He was not apprehended on the spot. Though one more case under the Excise Act has been lodged against the petitioner but he is on bail in the said case. He has been languishing in custody since 25.02.2018. Similarly situated co-accused, namely, Vijay Kumar Mahto and another has been enlarged on bail by a coordinate Bench of this Court in Cr. Misc. No.22521 of 2018 vide order dated 18.04.2018 and Ranjeet Kumar Rai @ Ranjit Rai has been enlarged on bail by this Court in Cr. Misc. No.25244 of 2018 vide order dated 02.05.2018.

In the facts and circumstances of the case, the above named petitioner is directed to 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 the learned 3rd Additional Sessions Judge-cum-Special Judge Excise Act, Samastipur in connection with Ujiarpur P.S. Case No.29 of 2018.

(Prakash Chandra Jaiswal, J)

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