

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.71509 of 2018

Arising Out of PS. Case No.-401 Year-2018 Thana- MINAPUR District- Muzaffarpur

Ajay Rai Son of Sri Goni Rai Resident of Village- Maksudpur, P.S. Minapur,
District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shashank Shekhar, Advocate.

For the Opposite Party/s : Mr. Pranav Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 10-12-2018 Heard learned counsel for the petitioner and the
State.

The petitioner seeks bail in Minapur P.S. Case No.
401 of 2018 instituted for the offence under Section 30(a), 38,
41 and 47 of Bihar Prohibition and Excise Act.

It is alleged in the written report that 1352.160
liters illicit foreign liquor of different brands have been
recovered from husk (Bhuskar) house of the petitioner.
Petitioner was apprehended on the spot. Three persons namely,
Suraj Kumar, Deepak Kumar and Sumant Kr. Mishra were
apprehended from Bhuskar.

Counsel for the petitioner submits that from the
seizure list it would be apparent that there was no recovery from
conscious possession of the petitioner. Counsel for the



petitioner further submits that co-accused Sumant Kumar Mishra has been granted bail by this Court vide order dated 26.11.2018 passed in Cr. Misc. 68710 of 2018.

The seizure list has been prepared but it does not bear signature of the petitioner.

Petitioner is in custody since 3.10.2018 having clean antecedent.

Considering the aforesaid facts and circumstances of the case, prayer for bail of the petitioner is allowed. Let the petitioner above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Muzaffarpur, in connection with Minapur P.S. Case No. 401 of 2018 , subject to the condition that both the bailors will be the close relatives of the petitioner.

(Sanjay Priya, J)

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