

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54886 of 2018

Arising Out of PS.Case No. -303 Year- 2018 Thana -FATUA District- PATNA

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Rajesh Rai, aged about 38 Years S/o Late Jamun Rai, R/o Raghapur,
District- Vaishali, At present residing at Cheek Post Didarganj, P.S.-
Didarganj, District- Patna.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pranaya Shanker Sinha, Advocate
For the Opposite Party/s : Mr. Smt Renu Kumari, Advocate

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD

ORAL ORDER

2 07-09-2018 Heard learned counsel for the petitioner and learned APP
for the State.

This is a case registered under Section 30 (a) of the Bihar
Prohibition and Excise Act, 2016.

Petitioner's counsel submits that the petitioner has falsely
been implicated in this case as the alleged recovery of 28 liters of
banned liquor was not made from his Possession. He submits that
the seizure is not in accordance with law and he is in custody in
connection with this case since 17.05.2018 and has no criminal
antecedent prior the instant case.

Learned APP has opposed for prayer for bail.

Considering the submissions made by petitioner's counsel,
prayer for bail of the petitioner is allowed. Let the petitioner above



named be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise Act, Patna in connection with Fatuha P.S. Case No. 303 of 2018 (arising out of Spl. Case No. 4746 of 2018) subject to the conditions :

- (i) That one of the bailors will be a close relative of the Petitioner who will give an affidavit giving genealogy as to how he is related with the Petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the Petitioner.
- (ii) That the Petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail will be liable to be cancelled.

(Madhuresh Prasad, J)

Prakash/-

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