

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.70529 of 2018

Arising Out of PS. Case No.-268 Year-2018 Thana- BATHNAHA District- Sitamarhi

Bhag Babu Rai @ Bhagya Babu Rai S/o Virendra Prasad Yadav @ Virendra
Yadav Resident of Village-Kapraul P.S. Riga, Distt.-Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Virendra Kumar

For the Opposite Party/s : Mr. Smt. Veena Rani Prasadd.

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

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

The petitioner seeks regular bail in connection with Bathnaha P.S. Case No. 268 of 2018 for the offences punishable under Sections 272, 273/34 of the Indian Penal Code and Section 30(A) of Bihar Prohibition and Excise Act.

The allegation as per the FIR is that on secret information, the police had apprehended two persons along with one pick up van and the said two persons disclosed their name as Bhag Banu Rai and Birendra Kumar and upon search of the pick up van, 1242 liters of Nepali Saufi wine was recovered.

The learned counsel for the petitioner has submitted that the said pick up van does not belong to the petitioner herein and he has been falsely implicated in the present case. It is



further submitted that the petitioner is having a clean antecedent and the petitioner was merely standing near the pick up van when the police had apprehended him on suspicion. There is nothing on record to connect the petitioner with the alleged recovery of Nepali Saufi wine. Lastly, it is submitted that co-accused Birendra Kumar has already been granted bail by this Court by order dated 03.12.2018 passed in Cr. Misc. No. 70342 of 2018.

Having regard to the facts and circumstances of the case, the petitioner, above named, is directed to be enlarged on regular bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned A.D.J. II cum Special Judge, Excise Act, Sitamarhi in connection with Bathnaha P.S. Case No. 268 of 2018.

(Mohit Kumar Shah, J)

Tiwary/-

U		T	
---	--	---	--

