

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.70995 of 2018

Arising Out of PS. Case No.-163 Year-2018 Thana- BAIKUNTHPUR District- Gopalganj

Ajay Rai, Son of Taplal Rai, Resident of Village-Damchho, Police Station-
Nabiganj, Distirct-Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ansul, Advocate

For the Opposite Party/s : Mr. Fahimuddin, APP

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 04-12-2018 Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in Baikunthpur P.S. Case No. 163 of 2018 instituted for the offence under Sections 420/34 of the Indian Penal Code, Section 30(a), 41(i) and (ii) of Bihar Excise and Prohibition Act, 2016.

Seizure list has been prepared which does not bear signature of the petitioner. The informant got information from spy that one truck loaded with foreign liquor has arrived and petitioner is getting foreign liquor unloaded in the orchard of Paras Rai. The seizure list shows that aforesaid recovery has been made near orchard of Paras Rai.

Counsel for the petitioner submits that there is no recovery from conscious possession of petitioner. He has been involved in the instant case merely on the statement of so



called spy.

Petitioner is said to be in custody since 11.10.2018.

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 A.D.J.II-cum-Special Judge, Excise, Gopalganj, in connection with Baikunthpur P.S. Case No. 163 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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