

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10702 of 2019

Arising Out of P.S. Case No.-165 Year-2018 Thana- DANIYAWAN District- Patna

RITLAL RAY, aged about 30 years, Male, Son of Mahavir Rai Resident of Bidupur Mathura, P.S.- Bidupur, District- Vaishali.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Harish Kumar, Advocate

For the Opposite Party/s : Mr.Ajay Kumar-2, APP

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 22-02-2019 Petitioner is permitted to make necessary correction regarding period of custody in para-6 of the present application.

Heard the learned counsel for the petitioner and learned counsel appearing on behalf of the State.

Petitioner is languishing in judicial custody since 07.12.2018 in connection with Special Case No.11572 of 2018 arising out of Daniyawa P.S.Case No.165 of 2018 for the offence alleged under Sections 30(a), 38(ii) and 37(c) of the Bihar Prohibition and Excise Act.

The prosecution case as lodged by the police personnel is that the petitioner along with two others were apprehended with 15 liters of Indian Made Foreign Liquor and 180 ml. was found under the seat. One Mahendra vehicle was also intercepted in which two persons were apprehended and



one liter of illicit liquor was found and from the breath analyzer the two other accused persons were found to have consumed liquor. Accordingly, a seizure list was prepared.

It has been submitted by the learned counsel for the petitioner that he is innocent, bears no criminal antecedent and nothing has been recovered from his conscious possession and that he has been sufficiently punished.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let the petitioner, above named be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each in connection with Special Case No.11572 of 2018 arising out of Daniyawa P.S.Case No.165 of 2018 to the satisfaction of learned Special Judge, Excise, Patna.

(Nilu Agrawal, J)

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