

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72194 of 2019**

Arising Out of PS. Case No.-113 Year-2019 Thana- GOVERNMENT OFFICIAL COMP.
District- Buxar

VINAY KUMAR RAI @ GONI RAI Son of Kameshwar Nath Rai @
Kameshwar Rai Resident of Village-Sikraul, P.S.-Rajpur, District-Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rana Vikram Singh
For the Opposite Party/s : Mr.Kumar Ranjit Ranjan

**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER**

2 04-12-2019 Heard the learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks regular bail in connection with
Complaint No. 113(O) of 2019 (CIS Excise No. 712/2019),
registered for the offence punishable under Section 30(a) of
the Bihar Prohibition and Excise Act, 2016.

The allegation is regarding recovery of 3975.76 liters of
illicit liquor from the bank of Karmanasa river. Allegation is
stated to have been levelled against the petitioner of being the
owner of the said illicit liquor after a lapse of 15 days of lodging
of the FIR and that too, at the behest of one Shubhash Rai.

The learned counsel for the petitioner has submitted that
the petitioner has got nothing to do with the alleged recovery



of illicit liquor from near the Karmanasa river and in fact, there is no allegation of recovery of the illicit liquor either from the possession of the petitioner or from his house. It is further stated that the person on whose confession, the name of the petitioner has transpired in the present case i.e. Shubhash Rai, is said to be the husband of one Smt. Kanchan Pandey, principal of school against whom an FIR dated 16.6.2016 has been filed by the Block Education Officer regarding embezzlement in the midday meal scheme and the petitioner is one of the signatory as a witness to the seizure list, hence, the disclosure of the name of the petitioner by the said Shubhash Rai is motivated and has been done with oblique motives. It is further submitted that the petitioner is languishing in custody since 25.9.2019.

Having regard to the facts and circumstances of the case, I deem it fit and proper to enlarge the petitioner on regular bail.

Accordingly, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge, IInd cum Special Judge (Excise), Buxar in connection



with Complaint No. 113(O) of 2019 (CIS Excise No. 712 of 2019).

(Mohit Kumar Shah, J)

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