

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16003 of 2020**

Arising Out of P.S. Case No.-41 Year-2020 Thana- Manjhi District- Saran

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Satrughan Rai @ Satrughan Kumar Yadav, S/o Taplal Rai, R/o Village-
Dabchhu, P.S. Lakri Nabiganj, District-Siwan.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Ansul, Advocate

For the Opposite Party : Mr. Mrityunjay Kr. Gautam, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL ORDER

(Per: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH)

2 13-05-2020 Heard Mr. Ansul, learned counsel for the petitioner

and Mr. Mrityunjay Kumar Gautam learned counsel for the

State via video conferencing.

The petitioner has filed the present application under
Sections 439 and 440 of the Code of Criminal Procedure for
grant of bail in connection with Manjhi P.S. Case No. 41 of
2020 registered under Sections 30, 30(a), 38(i)(ii), 36 and 41 of
the Bihar Prohibition and Excise Act, 2016.

It is submitted by the learned counsel for the
petitioner that the petitioner has nothing to do with the alleged



recovery of 2953.440 lts. of liquor from the two vehicles. He contended that the alleged recoveries from the vehicles were not from the physical or conscious possession of the petitioner. He was not even arrested from the place of occurrence. He is in no manner concerned with the seized vehicles. He is in custody since 28.02.2020.

On the other hand, Mr. Mrityunjay Kumar Gautam, learned counsel for the State submitted that huge quantity of illicit liquor was recovered from two vehicles and the occupants of those two vehicles disclosed that the liquor was to be delivered to the petitioner and one Ajay Rai. He contended that consumption, manufacture, storage, trade, transportation and sale of liquor are prohibited in the State of Bihar under the Bihar Prohibition and Excise Act, 2016.

Regard being had to the fact that except disclosure made by the persons arrested on the spot, there is no other material to connect the petitioner with the alleged offence and he is in custody for about three months, the above named petitioner is directed to be released on bail on furnishing bail bond of Rs.5000/- (five thousand) with two sureties of the like amount each to the satisfaction of learned Addl. Sessions Judge-II-cum-Special Judge, Excise, Saran at Chapra in connection



with Manjhi P.S. Case No. 41 of 2020.

rohit/-

(Ashwani Kumar Singh, J.)

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