

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21588 of 2020

Arising Out of PS. Case No.-5 Year-2020 Thana- TISIAUTA District- Vaishali

VINAY RAI Son of Mahtab Rai @ Mahtab Ray Resident of Village -
Chakhaje, P.S. - Tisiauta, District - Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Priyesh Kumar
For the Opposite Party/s : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 06-07-2020 The present petition has been taken up for consideration through the mode of Video conferencing in view of the prevailing situation on account of COVID-19 Pandemic, requiring social distancing.

Heard the learned counsel for the petitioner and Shri Ravindra Kumar, learned A.P.P. for the State.

The petitioner seeks regular bail in connection with Tisiauta P.S. Case No. 05 of 2020 for the offence punishable under Sections 30(a) (b) (c) of the Bihar Prohibition and Excise Act, 2018.

The allegation is regarding recovery of 1247.76 litres of illicit foreign liquor from the field of co-accused person namely, Mithilesh Chaudhary situated in village Laxmi Naryan Road. During the course of enquiry it transpired that consignment of



illicit liquor has been brought by other co-accused person including the petitioner herein.

The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case and is languishing in custody since 25.02.2020. It is further submitted that admittedly no recovery of illicit liquor has been made from the possession of the petitioner and moreover the field in question from where the illicit liquor has been recovered also does not belong to the petitioner herein.

Per contra, the learned A.P.P. for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the fact that the petitioner is having a clean antecedent and no recovery of illicit liquor has been made from the conscious possession of the petitioner, I deem it fit and proper to direct for release of the petitioner on regular bail.

Accordingly, the petitioner, above named, is directed to 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 Additional Sessions Judge-II-cum-Excise



Court, Vaishali at Hajipur in connection with Tisiauta P.S. Case
No. 05 of 2020.

(Mohit Kumar Shah, J)

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