

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71213 of 2019

Arising Out of PS. Case No.-14 Year-2019 Thana- MADHAURAH District- Saran

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Krishna Rai @ Raktu RAI Son of late Hitlal Rai, Resident of Village- Tehti,
P.S.- Marhowrah, District- Saran at Chapra.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Dewendra Narayan Singh

For the Opposite Party/s : Mr.Sharda Kumari

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 13-01-2020 Heard the learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks regular bail in connection with
Madhoura P.S. Case No. 14 of 2019 for the offence punishable
under Sections 30, 30(a) of the Bihar Prohibition and Excise
Act, 2016.

The allegation is regarding recovery of 200 liters of
spirit, which had been kept in a drum beneath the earth situated
at the village lane and it is stated that fifteen persons including
the petitioner herein were responsible for amassing the said
illicit liquor.

The learned counsel for the petitioner submits that the
petitioner has been falsely implicated in the present case. It is
further submitted that the illicit liquor has neither been



recovered from the conscious possession nor from the house of the petitioner, hence the recovery of illicit liquor cannot be attributed to the petitioner herein. The petitioner is stated to be languishing in custody since 29.08.2019.

Having regard to the facts and circumstances of the case, considering the submissions advanced by the learned counsel for the petitioner and taking into account the fact that no recovery has been made either from the conscious possession of the petitioner or from his house, 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 enlarged on regular bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned ^{XI} Additional District & Sessions Judge cum Special Judge Excise, Siwan at Chapra in connection with Madhoura P.S. Case No. 14 of 2019.

(Mohit Kumar Shah, J)

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