

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.14004 of 2021**

Arising Out of PS. Case No.-103 Year-2020 Thana- MOTIPUR District- Muzaffarpur

Umesh Rai Son of Late Nathuni Ray Resident of Village- Aswari Banjariya,  
P.S.- Kathaiya, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Manoj Kumar, Adv.

For the Opposite Party/s : APP

**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY**  
**ORAL ORDER**

2      01-07-2021

Heard learned counsel for the petitioner and learned  
Additional Public Prosecutor for the State through video  
conferencing.

The petitioner has filed the instant application for  
grant of regular bail in connection with Motipur P.S. Case no.  
103 of 2020 registered under sections 30(a) and 41(i)(ii) of the  
Bihar Prohibition and Excise Act, 2016.

As per allegation in the FIR, it is stated by the  
informant that a pick-up vehicle was stopped and on search 225  
litres of liquor was recovered. The driver of the vehicle  
Shatrughan Rai was taken into custody. On interrogation he  
disclosed that the liquor belonged to three accused persons  
including the petitioner herein who were escorting him on  
motorcycle.



It is submitted by learned counsel for the petitioner that no incriminating article has been recovered from his possession. He has no concern with the co-accused Shatrughun Rai nor with the seized liquor or the pick-up vehicle. The petitioner is in custody since 17.9.2020 and has no criminal antecedent. The aforesaid Shatrughan Rai has been enlarged on bail vide order dated 18.9.2020 passed in Cr. Misc. no. 24081 of 2020.

The application for bail is opposed by learned Additional Public Prosecutor for the State.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case together with the petitioner not having any criminal antecedent, the Court is inclined to enlarge the petitioner on bail. The petitioner is directed to be enlarged on bail in connection with Motipur P.S. Case no. 103 of 2020 on furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise, Muzaffarpur.

**(Partha Sarthy, J)**

Bibhash

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