

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14117 of 2021**

Arising Out of PS. Case No.-558 Year-2020 Thana- KHAGARIA District- Khagaria

BITTU RAY Son of Ramashis Ray Resident of Village - Barai, P.S.- Khagaria
(Gangaur), Distt.- Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binod Kumar, Advocate

For the Opposite Party/s : APP

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

2 02-07-2021

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

The petitioner has filed the instant application for grant of regular bail in connection with Khagaria (Gangaur) P.S. Case no. 558 of 2020 registered under section 30(a) of the Bihar Prohibition and Excise Act, 2016.

As per allegation in the FIR, it is stated by the informant that on receiving information that Ruban Ray was dealing in liquor, a raid was conducted and 82.5 litres of liquor was recovered. It is thereafter stated that information was received from the local chowkidar and spy that the petitioner was also involved in the business.

It is submitted by learned counsel for the petitioner that from the FIR itself it would transpire that no incriminating article has been recovered from the possession of the petitioner. The petitioner has been falsely implicated in the case for oblique reasons. The petitioner is in custody since 25.8.2020 and has no criminal antecedent.



The application for bail is opposed by learned counsel for the State.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case including the petitioner being in custody for 10 months, the Court is inclined to enlarge the petitioner on bail. The petitioner is directed to be enlarged on bail in connection with Khagaria (Gangaur) P.S. Case no. 558 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 Act, Khagaria.

(Partha Sarthy, J)

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