

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25040 of 2021

Arising Out of PS. Case No.-400 Year-2019 Thana- VAISHALI District- Vaishali

ASHOK RAI @ ASHOK RAY, Son of Late Binda Ray Resident of village -
Salempur, P.S.- Lalganj, Distt.- Vaishali.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shyameshwar Kumar Singh, Advocate
For the Opposite Party/s : Mr. Bharat Bhushan, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 22-09-2021 Heard learned counsel for the parties through video conferencing.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 272, 273 and 414 of the Indian Penal Code and sections 30(a), 32(2) and 41(1) of the Bihar Prohibition and Excise Act, 2016.

As per the prosecution case, while the two accused persons got down from the Alto car and managed to escape, it is stated that a total of 170 litres of liquor was recovered from the car. As per information provided by the spy the petitioner and Dharmendra Sahni were dealing in the liquor.

It is submitted by learned counsel for the petitioner that neither the petitioner was arrested at the spot nor any incriminating article has been recovered from his possession. It is stated that he has no concern either with the seized liquor nor



with the vehicle in question. The cause of his false implication is his antecedent. He is in custody since 8.12.2020 and chargesheet has been submitted in the case.

Heard learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the fact that neither the petitioner was arrested at the spot nor any incriminating article has been recovered from his possession, the petitioner is directed to be enlarged on bail in connection with Vaishali P.S. Case no. 400 of 2019 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 Addl. Sessions Judge II-cum-Excise Court, Vaishali at Hajipur.

(Partha Sarthy, J)

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