

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26634 of 2021

Arising Out of PS. Case No.-132 Year-2020 Thana- DERNI BAZAR District- Saran

RAKESH RAI @ RAKESH KUMAR PRASAD SON OF KAMESHWAR
RAI R/O VILLAGE- KEWATIYA, RAMPUR JAGDISH, P.S.-
DARIYAPUR, DISTRICT- SARAN AT CHAPRA.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Krishna Prasad Singh, Sr. Adv.
Mr. Sanjiv Sharan, Adv.
For the Opposite Party/s : Mr. Umeshanand Pandit, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 26-11-2021 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 section 30 and 30(a) of the Bihar Prohibition and Excise Act, 2016.

As per the prosecution case, 1200 litres of liquor was recovered from a pick up van and the two accused persons who managed to escape were identified by the Chaukidar as Dharam Nath Rai @ Handa Rai and Manjan Rai.

It is submitted by learned senior counsel appearing for the petitioner that the petitioner was not named in the F.I.R.. His name transpired in course of investigation as also that of one other accused as those who were involved in the business of



liquor along with others. The petitioner is in custody since 26.1.2021. It is submitted that the cause of false implication is his antecedent under the Bihar Prohibition and Excise Act, 2016.

Heard learned A.P.P. 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 was recovered from his possession together with the petitioner having remained in custody since 26.1.2021, the Court directs the petitioner to be enlarged on bail in connection with Derni P.S. Case no.132 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 Additional Sessions Judge II-cum-Special Judge, Excise Act, Chapra, Saran.

(Partha Sarthy, J)

Saurabh/-

U		T	
---	--	---	--

