

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26202 of 2021

Arising Out of PS. Case No.-731 Year-2020 Thana- MAHUA District- Vaishali

RAMESH RAI @ RAMESH KUMAR S/O RAM LAGAN RAI @ LAGAN
RAI R/O VILLAGE-MAHUA RAM RAI, P.S.-MAHUA, DISTRICT-
VAISHALI.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : M/s P.K.Shahi, Sr. Advocate
Nityanand, Advocate

For the Opposite Party/s : Ms. Veena Rani Jaiswal, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 23-11-2021 Heard Sri P.K.Shahi, learned senior counsel
appearing for the petitioner and learned APP for the State.

At the outset it is submitted by learned senior counsel appearing for the petitioner that a supplementary affidavit has been filed with respect to certain corrections in paragraph no. 3 of the petition wherein the complete antecedent of the petitioner has been stated.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 30(a), 32(ii), 34(ii), 38(ii) and 41(i) of the Bihar Prohibition and Excise Act, 2016.

As per the prosecution case, accused Randhir Kumar was arrested and a total of 4185.720 litres of IMFL was recovered. It is further stated that the said Randhir Kumar disclosed the name of other accused persons who had managed to flee which included



the petitioner herein.

It is submitted by learned senior counsel appearing for the petitioner that no incriminating article has been recovered from possession of the petitioner. The cause of false implication of the petitioner is his antecedent under the Bihar Prohibition and Excise Act, 2016. The only material against the petitioner is the statement of the co-accused made before the police. The petitioner is in custody since 26.1.202 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 facts of the case, nature of allegation in the FIR together with the the petitioner having remained in custody for over 9 months, the petitioner is directed to be enlarged on bail in connection with Mahua P.S. Case no. 731 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 Addl. Sessions Judge II-cum- Excise Court, Vaishali at Hajipur.

(Partha Sarthy, J)

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