

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.31920 of 2021

Arising Out of PS. Case No.-148 Year-2020 Thana- SARAI RANJAN District- Samastipur

MITHU RAY @ MITHUN KUMAR @ MITHU KUMAR RAY Son of
Kameshwar Ray Resident of Village - Chakwa, P.S. - Sarairanjan, District -
Samastipur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amar Nath Jha
For the Opposite Party/s : Mr. Awadhesh Kumar Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA

ORAL ORDER

2 14-12-2021 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner seeks regular bail in connection with
Sarairanjan Police Station Case No. 148 of 2020, registered for
the offences punishable under Section 30(a) of the Bihar
Prohibition and Excise Act, 2016.

The allegation, as per the First Information Report, is
that the police, on the basis of secret information that the
petitioner has concealed huge quantity of illicit liquor near the
pond of Ram Janaki Math, proceeded towards the place of
occurrence and recovered a total quantity of 72 litres of illicit
liquor.



Learned Counsel for the petitioner submits that the petitioner was not arrested by the police from the spot and his name has come on the basis of secret information received by the police. He further submits that the pond, from where the illicit liquor has been recovered, is an open space, accessible to all and sundry. He next submits that the petitioner is in custody since 19.12.2020 and charge sheet has been submitted against the petitioner and as such, there is no likelihood that the petitioner will abscond and/or tamper with the evidence.

Regards being had to the submissions advanced on behalf of the parties concerned and taking into consideration the materials available on record and the fact that illicit liquor has not been recovered from the conscious possession of the petitioner, charge sheet has already been submitted and the petitioner is in custody since 19.12.2020, I am inclined to grant regular bail to the petitioner.

This application is, accordingly, allowed.

Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned 2nd Additional Sessions Judge -cum- Special Judge, Excise, Samastipur, in connection with Sarairanjan Police



Station Case No. 148 of 2020.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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