

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31148 of 2021**

Arising Out of PS. Case No.-188 Year-2020 Thana- NAYAGAON District- Saran

Vijay Rai S/O Mahesh Rai R/O Village-Bariyarchak, P.S-Naya Gaon, District-
Saran At Chapra.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shakil Ahmad Khan, Advocate

For the Opposite Party/s : Mr. Zainul Abedin, APP

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER**

2 25-11-2021 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Naya Gaon P.S. Case No. 188 of 2020 instituted for the offences
under Sections 30, 38, 41 and 37(b) of the Bihar Prohibition and
Excise Act.

Learned counsel for the petitioner submits that the
petitioner is in custody since 01.01.2021, charge-sheet has been
submitted in the case and is a person with clean antecedent.

Learned counsel for the petitioner submits that
allegation is of recovery of 160 litres of country-made liquor
from a Vikram tempo which does not belong to this petitioner
and he was merely a passenger in the said tempo.

Learned A.P.P. for the State vehemently opposes the



prayer for regular bail of the petitioner.

Considering the fact that the petitioner is in custody since 01.01.2021, charge-sheet has been submitted in the case and the petitioner is a person with clean antecedent, let the petitioner above named be released on bail on furnishing bail bond of Rs. 5,000/- (Rupees Five Thousand only) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge-II-cum-Special Judge (Excise Act), Saran at Chhapra in connection with Naya Gaon P.S. Case No. 188 of 2020 subject to the condition as laid down under Section 437 (3) Cr.P.C.

(Satyavrat Verma, J)

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