

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31504 of 2021

Arising Out of PS. Case No.-47 Year-2020 Thana- KUDHNI District- Muzaffarpur

VIJAY RAI Son of Mewalal Rai Resident of Village - Mohanpur, P.S.-
(Kudhani) Kurhani, District - Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nachiketa Jha

For the Opposite Party/s : Mr.A.G

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 16-12-2021 Heard the learned counsel for the petitioner
and the learned APP for the State.

The petitioner seeks regular bail in connection with (Kudhani) Kudhni (Turki O.P.) P.S. Case No. 47/2020, registered for the offence punishable under Sections 30(a)/38(1)/41(1) of the Bihar Prohibition & Excise Act.

It appears from the FIR that three trucks were intercepted by the police and upon search, huge quantity of illicit liquor was recovered. Some co-accused persons were arrested from the spot and one of them is stated to have taken the name of the petitioner as one of their accomplice.



The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case, he is having a clean antecedent and he is languishing in custody since 15.2.2021.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the materials available on record as also considering the fact that the petitioner has not been arrested from the spot, he is having a clean antecedent and moreover, the trucks in question from which illicit liquor has been seized do not belong to the petitioner, I deem it fit and proper to direct for release of the petitioner on regular bail.

Accordingly, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the



satisfaction of learned Special Judge Excise Act,
Muzaffarpur in connection with (Kudhani) Kudhni
(Turki O.P.) P.S. Case No. 47/2020.

(Mohit Kumar Shah, J)

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