

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33720 of 2021

Arising Out of PS. Case No.-318 Year-2020 Thana- LALGANJ District- Vaishali

AJAY RAI Son of Upendra Rai Resident of Village - Salempur, P.S.- Lalganj,
District - Vaishali at Hajipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anish Chandra, Adv

For the Opposite Party/s : Mr. Manoj Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 22-12-2021 Heard Mr. Anish Chandra, learned counsel for the

petitioner and Mr. Manoj Kumar, Additional Public Prosecutor

for the State.

Petitioner seeks regular bail in connection with
Lalganj PS Case No. 318/2020 registered for the offence
punishable under Sections 30(a)(d)(e)(f), 32(ii) and 41(i) of
Bihar Prohibition & Excise Act.

The allegation, as per prosecution case, is that the
police on the basis of secret information that petitioner along
with other accused persons are engaged in business of illicit
liquor, raided the house of co-accused, Bipul Kumar and upon
seeing the police party, the petitioner along with other accused
persons fled away. It is further alleged that the police recovered
100 litres of illicit liquor from the house of co-accused Bipul



Kumar as well as 1500 litres of raw jawa/Mahua from the field near bank of river and the name of this petitioner and others has been disclosed by the arrested co-accused, Bipul Kumar.

Learned counsel for the petitioner submits that the petitioner has got no criminal antecedents and he has falsely been implicated in this case mainly on the basis of statement made by the arrested co-accused, Bipul Kumar. He further submits that no illicit liquor has been recovered from the conscious possession of the petitioner or from the premises belonging to the petitioner.

Learned counsel next submits that similarly situated co-accused, namely, Taras Sahni has been granted bail by a Bench of this court *vide* Cr. Misc. No. 21277/2021. The petitioner is in custody since 05.02.2021 having no criminal antecedents and the charge-sheet, in the matter, has been submitted.

Having regard to the submissions made by the parties and taking into consideration the material on record and the fact that similarly situated co-accused, namely, Taras Sahni has been granted bail by a Bench of this court, the petitioner is in custody since 05.02.2021 having no criminal antecedents and the charge-sheet, in the matter, has been submitted, I am inclined to



grant regular bail to the petitioner.

Accordingly, let the petitioner, AJAY RAI be released on bail on furnishing bail bond of Rs. 20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-II-cum-Excise Court, Vaishali at Hajipur in connection with Lalganj PS Case No. 318/2020.

(Anil Kumar Sinha, J)

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