

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36332 of 2021

Arising Out of PS. Case No.-33 Year-2021 Thana- PATORI District- Samastipur

RAM BABU RAI S/O LATE TORIL RAI R/o village- Ghokia Diayara Ward
No.- 1, P.S.- Ganga Bridge, District- Vaishali

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Mishra
For the Opposite Party/s : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 14-12-2021 Heard the learned counsel for the petitioner
and the learned APP for the State.

The petitioner seeks regular bail in connection with Patori P.S. Case No. 33/2021, registered for the offence punishable under Sections 272/273/34/414 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

The allegation is regarding recovery of 490 liters of illicit liquor from a tempo.

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 29.1.2021. The learned counsel for the petitioner has further submitted that the driver of the tempo in question has already been granted bail by a coordinate Bench of this Court vide order dated 5.10.2021 passed in Criminal Miscellaneous No. 27552/2021.

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 parity of the case of the petitioner with that of the co-accused person, who have already been granted bail by a coordinate Bench of this Court, 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 2nd Additional Sessions Judge-cum-Special Judge, Excise, Samastipur in connection with Patori P.S. Case No. 33/2021.

(Mohit Kumar Shah, J)

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