

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40092 of 2021

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

RANJAN RAI Son of Gaya Rai Resident of Village- Bariyarchak, P.S.-
Nayagoan, Distt- Saran at Chapra.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Chandra Mohan Jha
For the Opposite Party/s : Mr.Renu Kumari

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
Nayagaon P.S. Case No. 188 of 2020, registered for the
offence punishable under Sections 30, 38, 41 and 37(b) of the
Bihar Prohibition and Excise Act, 2016.

The allegation is regarding recovery of 160 liters of
illicit liquor from a tempo and the name of the petitioner has
transpired in the present case upon confessional statement
having been made by a co-accused person namely Amar Rai.

The learned counsel for the petitioner has submitted that
the petitioner is innocent, has been falsely implicated in the
present case, is having a clean antecedent and he is
languishing in custody since 13.3.2021. The learned counsel
for the petitioner has further submitted by referring to



paragraph No. 11 of the present petition to submit that the petitioner has been falsely implicated in the present case on account of village politics and he was not even aware about the incident as also he was/is not involved in such type of dealings.

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 period of incarceration of the petitioner herein, 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 A.D.J. 2nd cum Special Judge, Excise Act, Saran at Chapra in connection with Nayagaon P.S. Case No. 188 of 2020.

(Mohit Kumar Shah, J)

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