

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35333 of 2020

Arising Out of PS. Case No.-338 Year-2020 Thana- MANER District- Patna

NIRMAL RAI, Son of Late Sant Kumar Rai, Resident of Nilkanth Tola,
Gouraiya Asthan, P.S.- Maner, District- Patna.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Mishra, Advocate

For the Opposite Party/s : Mr. Nand Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 01-02-2021 Heard Mr. Sanjay Kumar Mishra, learned Counsel
for the petitioner and Mr. Nand Kishore Prasad, learned
Additional Public Prosecutor for the State.

This application, for grant of regular bail, arises out
of Maner Police Station Case No. 338 of 2020, disclosing
offences under Section 30(a) of the Bihar Excise Act and
Section 414 of the Indian Penal Code.

The allegation, as per the First Information Report
is that the motorcycle of the petitioner was intercepted by the
police and total quantity of 50 litres of country-made Mahua
liquor was recovered from the said motorcycle.

Learned counsel for the petitioner submits that the
petitioner has not committed any offence in the manner alleged
and he has falsely been implicated in this case due to oblique



motive. Learned counsel next submits that petitioner is not the owner of the motorcycle and is having no criminal antecedent also. Learned counsel further submits that petitioner is in custody since 04.07.2020 and the chargesheet has already been submitted against the petitioner and there is no likelihood that the petitioner will abscond or tamper with the evidence.

Having regard to the submissions made by the parties and taking into consideration the materials on record and the fact that petitioner is in custody since 04.07.2020 having no criminal antecedent and the chargesheet has already been submitted in this case, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, Nirmal Rai, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge (Excise), Patna, in connection with Maner Police Station Case No. 338 of 2020.

(Anil Kumar Sinha, J)

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