

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40299 of 2020

Arising Out of PS. Case No.-909 Year-2018 Thana- SITAMARHI District- Sitamarhi

Suddu Rai @ Suhhu Rai, Son of Jai Kishore Rai @ Jai Kishore Yadav
Village-Bagahie, Police Station-Punaure, District-Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ritesh Kumar Narain Singh, Advocate

For the Opposite Party/s : Ms. Gulnar Begum, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 01-03-2021 Heard Mr. Ritesh Kumar Narain Singh, learned Counsel
for the petitioner and Ms Gulnar Begum, learned Additional Public
Prosecutor for the State.

This application, for grant of regular bail, arises out of
Sitamarhi Police Station Case No. 909 of 2018, disclosing offences
under Sections 272 and 273 of the Indian Penal Code and Section
30(a) of the Bihar Prohibition and Excise Act.

The allegation, as per the First Information Report is
that a total quantity of 349.5 litres of illicit liquor have been
recovered from the house as well as bamboo clump of Nagendra Rai
which is situated adjacent to the house of the petitioner.

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 has got no criminal



antecedent and the house from where the illicit liquor has been recovered belongs to joint family in which other co-sharers and family members also reside. Learned counsel next submits that bamboo clump belongs to one Nagendra Rai and is easily accessible to all. Learned counsel further submits that petitioner is in custody since 12.07.2020 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 12.07.2020 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, Suddu Rai @ Suhhu 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 Additional District & Sessions Judge-II-cum-Special Judge (Excise), Sitamarhi, in connection with Sitamarhi Police Station Case No. 909 of 2018.

(Anil Kumar Sinha, J.)

sanjeev/-

U		T	
---	--	---	--

