

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34060 of 2020**

Arising Out of PS. Case No.-214 Year-2019 Thana- MANIYARI District- Muzaffarpur

HIRDAY RAY@HIRDAN RAY Son of Sukul Rai Resident of Village-
Mathna Milik, P.S.-Goraul, Kathara (O.P) District-Vaishali.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Baxi S.R.P.Sinha, Sr. Adv. Ms.Pratima Kumari
For the Opposite Party/s :		Mr.Arun Kumar Singh, APP

**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN
SINGH**

ORAL ORDER

8 20-02-2021 Heard learned counsel for the parties.

This application for grant of regular bail arises out of Maniyari P.S. Case No. 214 of 2019, disclosing offences punishable under Sections 420,467,468 and 471 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition of Excise Act, 2016.

It has been stated in paragraph 3 of the application that the petitioner has no criminal antecedent and he is in custody since 11.10.2020. According to the prosecution's case, 3927.600 liters of Indian made foreign liquor was recovered by the Excise officials from a Tata Mini truck.

Learned Senior Counsel appearing on behalf of the petitioner has submitted that apparently the petitioner was not



arrested on the spot and his name transpired on the basis of disclosure made by one Choukidar. He has argued that in similar circumstance co-accused Santosh Kumar has been allowed regular bail by this Court by an order dated 02.02.2021 passed in Cr. Misc. No. 37260 of 2020. He has further argued that except for the said disclosure made by the Choukidar, there is no other material to connect the petitioner with the illicit liquor.

Considering the aforesaid submission, this application is allowed.

Let the petitioner above-named 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 the learned Special Judge (Excise), Muzaffarpur in Maniyari P.S. Case No. 214 of 2019, P.R. No. 33 of 2019.

(Chakradhari Sharan Singh, J)

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