

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40260 of 2020

Arising Out of PS. Case No.-349 Year-2020 Thana- BAGHA District- West Champaran

SURAJ KUMAR RAI, Son of Munna Ray Resident of Village - Naraipur,
Ward No. -10, P.S. - Bagaha, District - West Champaran, Bettiah

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Gupta, Advocate

For the Opposite Party/s : Mr. Dashrath Mehta, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 24-02-2021 Heard Mr. Ashok Kumar Gupta, learned Counsel for
the petitioner and Mr. Dashrath Mehta, learned Additional
Public Prosecutor for the State.

This application, for grant of regular bail, arises out
of Bagaha Patkhauri Police Station Case No. 349 of 2020,
disclosing offences under Section 30(a) of the Bihar Prohibition
and Excise Act.

The allegation, as per the First Information Report
is that the police, on the basis of secret information that some
persons have assembled in orchard and were dealing with the
illicit liquor, proceeded towards the place of occurrence and
upon seeing the police party, accused persons started fleeing
away, however three persons were arrested including 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 village politics and no illicit liquor has been recovered from the conscious possession of the petitioner. Learned counsel next submits that the petitioner has got no criminal antecedent and from perusal of the seizure list, it would be evident that the illicit liquor has been recovered from the orchard which does not belong to the petitioner. Learned counsel next submits that petitioner is in custody since 22.06.2020 and the charge-sheet 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 22.06.2020 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, Suraj Kumar 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), West Champaran,
in connection with Bagaha Patkhauri Police Station Case No.
349 of 2020.

(Anil Kumar Sinha, J.)

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