

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5380 of 2021

Arising Out of PS. Case No.-61 Year-2019 Thana- GHORASAHAN District- East
Champaran

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Saheb Rai Son Of Achhelal Rai R/O Village- Pipra, P.S.- Jitna, District- East
Champaran

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar NO.III, Advocate
For the Opposite Party/s : APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 26-03-2021 Heard learned counsel for the petitioner and learned
APP for the State through video conferencing.

The petitioner has filed the instant application for grant of regular bail in connection with Ghorasahan (Jitna) P.S. Case no. 61 of 2019 registered under section 30(a) of the Bihar Prohibition and Excise Act, 2016.

As per allegation in the FIR, on a raid being conducted a total of 3075 litres of illicit liquor was recovered from two places. It is stated that at one place the wine was unloaded by this petitioner as also other accused persons including Chhotelal Rai and at the other place the same was unloaded by the accused Chandan Rai besides others.

It is submitted by learned counsel for the petitioner



that the allegations as levelled in the FIR are false and incorrect. He has no concern either with the vehicle, the seized article or the place of unloading of the illicit liquor. He is in custody since 18.9.2020 and has no criminal antecedent. Further, Chhotelal Rai has been enlarged on bail vide order dated 17.9.2020 passed in Cr. Misc. no. 23694 of 2020.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the submissions made on behalf of the petitioner, the period in custody and charge sheet having been submitted, the Court is inclined to enlarge the petitioner on bail. The petitioner is directed to be enlarged on bail in connection with Ghorasahan (Jitna) P.S. Case no. 61 of 2019 on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge under Excise Act, East Champaran, Motihari.

(Partha Sarthy, J)

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