

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.6673 of 2021

Lalbabu Rai @ Lalu Rai aged about 55 years, Male, son of Jagdish Rai, resident of village-Diwantok, Ward no.6, P.S. Gangabridge, District-Vaishali

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Petitioner

Versus

The State of Bihar

.....

Opposite party

Appearance

For the Petitioner/s : Mr. Ranjeet Prasad, Advocate

For the State : Mr. Ajay Kumar no.2, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL ORDER

2 19.05.2021

Heard learned counsel for the petitioner and learned A.P.P for the State through video conferencing.

The petitioner has filed the instant application for grant of regular bail in connection with Excise Prosecution Case no. C2A no. 93 of 2020 arising out of P.R.no. 13 of 2020 registered under section 30(a) and (d) of the Bihar Prohibition and Excise Act, 2016.

As per allegation in the F.I.R., on a confidential information having been received and a raid being conducted, it is stated that the petitioner was caught and 100 litres of country liquor besides other raw materials were recovered.

It is submitted by learned counsel for the petitioner



that the allegation as levelled in the F.I.R. are false and concocted. No incriminating article has been recovered from the person or possession of the petitioner. He has no concern with the recovered articles. He is in custody since 23.8.2020, chargesheet has been submitted in the case and has no criminal antecedent.

The application for bail is opposed by learned A.P.P. for the State who submits that cognizance has already been taken in the case on 19.10.2020.

Having heard learned counsel for the parties and taking into consideration the period in custody, chargesheet having been submitted in the case and the petitioner having no criminal antecedent, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to be enlarged on bail in connection with Excise Prosecution Case no. C2A no. 93 of 2020 arising out of P.R. no. 13 of 2020 on furnishing bail bond of Rs.10,000/ with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-II-cum-Excise Court, Vaishali at Hajipur.

(Partha Sarthy, J)

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