

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8391 of 2021**

Arising Out of PS. Case No.-191 Year-2019 Thana- MUZAFFARPUR SADAR District-
Muzaffarpur

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SAROJ RAI @ SAROJ KUMAR Son of Late Nand Kishroe Rai Resident of
Village - Barmatpur, P.S.- Sadar, District - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar Pandey, Advocate
For the Opposite Party/s : Dr. Rabindra Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 01-06-2021 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 Sadar P.S. Case No. 191 of 2019 registered under sections 272 and 273 of the Indian Penal Code and section 30(a) of the Bihar Prohibition and Excise Act, 2016.

As per allegation in the F.I.R., on a raid conducted by the police personnel at different places, illicit liquor was recovered. It is stated that 111.750 litres of IMFL was recovered from the house of the petitioner.

It is submitted by learned counsel for the petitioner that no incriminating article has been recovered from his person or his house. He has been falsely implicated in the case because



of one earlier case pending against him. Petitioner is in custody since 14.10.2020 and his case stands on a better footing to that of co-accused Devanand Rai who was enlarged on anticipatory bail vide order dated 22.7.2019 (Annexure-3).

The application for bail is opposed by learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case, grant of anticipatory bail to co-accused and the petitioner being in custody since 14.10.2020, the Court is inclined to enlarge the petitioner on bail. The petitioner is directed to be enlarged on bail in connection with Sadar Police Station Case No. 191 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, Excise, Muzaffarpur.

(Partha Sarthy, J)

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