

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10105 of 2021

Arising Out of PS. Case No.-310 Year-2020 Thana- BANIAPUR District- Saran

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MOTI RAI @ MOTI LAL RAI SON OF MANJU RAI VILLAGE USTI,
P.S.- BANIYAPUR, DISTRICT- SARAN AT CHAPRA.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Dewendra Narayan Singh, Advocate
For the State : Ms. Shahin Begum, APP.

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 14-06-2021 Heard learned counsel for the petitioner and learned

Additional Public Prosecutor for the State through video

conferencing.

The petitioner has filed the instant application for
grant of regular bail in connection with Baniapur P.S. Case no.
310 of 2020 registered under section 30(a) of the Bihar
Prohibition and Excise Act, 2016.

As per allegation in the FIR, on secret information
having been received a raid was conducted. It is stated that the
petitioner and one another accused managed to escape. On
search 100 litres of country liquor was recovered from the
orchard of one Singheswar Singh.

It is submitted by learned counsel for the petitioner
that the allegations as levelled in the FIR against the petitioner



are false and concocted. No recovery has been made from the person of the petitioner and from the FIR itself it would be evident that the alleged place of recovery is the orchard of co-accused Singheshwar Singh. The petitioner has no criminal antecedent and is in custody since 30.11.2020.

The application for bail is opposed by learned Additional Public Prosecutor for the State.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case including the petitioner not having any criminal antecedent and the period in custody, the Court is inclined to enlarge the petitioner on bail. The petitioner is directed to be enlarged on bail in connection with Baniapur P.S. Case no. 310 of 2020 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 2nd Additional Sessions Judge- Cum-Special Judge Excise, Saran at Chapra.

(Partha Sarthy, J)

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