

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3882 of 2022

Arising Out of PS. Case No.-42 Year-2021 Thana- DOBHI District- Gaya

RAJESH RAI Son of Rampukar Rai Resident of Village- Kulesra, P.S.- Sakra,
District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjit Kumar Yadav

For the Opposite Party/s : Mr.Veena Kumari Jaiswal

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 07-04-2022 Supplementary affidavit has been filed in Court today and in paragraph – 2 of the affidavit, it is stated that due to inadvertence, instead of “*Samekit Janch Choki Dobhi* (Excise) P.S. Case No. 42 / 2021, CIS No. 304 / 2021 arising out of Excise Case No. 304 / 2021”, it has wrongly been typed in 1st paragraph and prayer portion of the bail petition, as I.A. No. 01 / 2021 arising out of Excise Case No. 304 / 2021. Let it be kept on record.

Heard learned counsel for the parties.

The petitioner seeks bail in a case registered for the offence under Section 30(a) of Bihar Prohibition and Excise Act.

621 liters of illicit foreign liquor has been recovered from a pick-up van and this petitioner was apprehended on spot.



It is submitted on behalf of petitioner that nothing has been recovered from the conscious possession of the petitioner. Petitioner was neither owner nor driver of the said vehicle and he was simply a co-passenger in the said vehicle and was not aware or any knowledge that illicit liquor is being transported in the vehicle in question. Petitioner claims clean antecedent and he is in custody since 03.11.2021. Investigation is complete.

Learned A.P.P. for the State has opposed the bail petition.

Considering the nature of allegation, clean antecedent and period of custody, the bail petition of petitioner is allowed. Let the above named petitioner 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 Additional Sessions Judge II cum Special Judge, Excise, Gaya in connection with *Samekit Janch Choki Dobhi* (Excise) P.S. Case No. 42 / 2021, CIS No. 304 / 2021 arising out of Excise Case No. 304 / 2021.

(Prabhat Kumar Singh, J)

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