

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20609 of 2021

Arising Out of PS. Case No.-363 Year-2019 Thana- LALGANJ District- Vaishali

BIPIN RAI @ BIBIN RAI Son of Chulhai Rai R/o Village- Salempur, P.S.-
Lalganj, District- Vaishali at Hazipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Niranjan Parihar, Advocate.

For the Opposite Party/s : Mr.APP.

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 11-01-2022 Heard Mr. Niranjan Parihar, learned Advocate for the

petitioner and learned Additional Public Prosecutor for the

State.

The petitioner seeks bail in anticipation of his arrest in
connection with Lalganj P. S. Case No. 363 of 2019 instituted
for the offences under Section 414 of the Indian Penal Code and
Section 30(a) of the Bihar Prohibition and Excise Act, 2018.

Learned counsel for the petitioner has drawn the
attention of this Court to the fact that from the possession of two
of the arrested accused persons namely Ashok Rai and Ranjeet
Kumar Sah, 40 litres of liquor was recovered. Several litres of
liquor are also said to have been destroyed by the police party.
Aforesaid Ranjeet Kumar Sah has named 19 persons including
the petitioner in his confession.



Learned counsel for the petitioner has submitted that except for the aforesaid confession of the arrested accused person, there is no other material to connect the petitioner with the offence.

The petitioner does not have criminal antecedents.

Based on the afore-stated facts, learned counsel for the petitioner has urged that the offence under the Excise Act cannot at all be said to have been made against the petitioner.

For the reasons afore-stated, the petitioner is directed to be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from the date of receipt/production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Addl. Sessions Judge-II cum Excise Court, Vaishali at Hajipur in connection with Lalganj P. S. Case No. 363 of 2019, subject to the condition as laid down under Section 438 (2) Cr. P.C.

The application stands allowed.

(Ashutosh Kumar, J)

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