

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22184 of 2021

Arising Out of PS. Case No.-120 Year-2020 Thana- MAHINDWARA District- Sitamarhi

SITARAM RAI S/o Mahadeo Rai Resident of Village- Chakki, P.S.-
Meenapur, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Virendra Kumar, Advocate

For the Opposite Party/s : Mr. APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 12-01-2022 Heard Mr. Virendra Kuamr, learned Advocate
for the petitioner and the learned APP for the State.

The petitioner seeks bail in anticipation of his arrest in connection with Mahindwara P.S. Case No. 120 of 2020 dated 25.09.2020 instituted for the offences under Sections 30(a)(b)(c)(f) 37 and 41 of the Bihar Prohibition and Excise Act, 2016.

Several litres of raw spirit kept in jerkins were recovered after one person viz. Sitaram Sah was arrested. The implication of the petitioner in this case is on the basis of confession made by aforesaid Sitaram Sah.

There is no recovery from the constructive possession of the petitioner.

He has not been made an accused in any case



of any kind whatsoever.

Considering the aforestated facts, the petitioner is directed to be released on bail, in the event of his arrest or surrender before the 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 A.D.J. II Cum Special Judge, Excise Act, Sitamarhi in connection with Mahindwara P.S. Case No. 120 of 2020, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Ashutosh Kumar, J)

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