

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35153 of 2021

Arising Out of PS. Case No.-147 Year-2020 Thana- HAJIPUR SADAR District- Vaishali

ARJUN RAI SON OF LATE RAM UDAR RAI @ RAMUDGAR RAI R/O
VILLAGE- AKILABAD, P.S.- HAJIPUR SADAR, DISTRICT- VAISHALI
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Rina Sinha, Adv.

For the Opposite Party/s : Mr. Kanhaiya Kishore, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 04-01-2022 Heard Ms. Rina Sinha, learned counsel for the
petitioner and Mr. Kanhaiya Kishore, Additional Public
Prosecutor for the State through video conferencing.

Petitioner seeks regular bail in connection with
Hajipur Sadar PS Case No. 147/2020 registered for the offence
punishable under Sections 30(a) of Bihar Excise Prohibition
Amendment Act 2018.

On the basis of a compliant received from control
room, the police raided Janki Mutt situated at village, Akilabad
and recovered 150 litres of country made liquor and 160
Kilograms of jaggery which was, allegedly, kept by the
petitioner and other accused persons.

Learned counsel for the petitioner submits that the
petitioner has not committed any offence in the manner alleged
and from perusal of the seizure list, it would be evident that the



illicit liquor was recovered from Janki Mutt which is accessible to all and sundry. She further submits that no illicit liquor has been recovered from the conscious possession of the petitioner or from the premises belonging to the petitioner and the petitioner is in custody since 11.01.2021. Charge-sheet has already been submitted.

Regards being had to the submissions made by the parties and taking into consideration the material on record and the fact that no illicit liquor has been recovered from the conscious possession of the petitioner or from the premises belonging to the petitioner, the petitioner is in custody since 11.01.2021 and charge-sheet has already been submitted, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, ARJUN RAI be released on bail on furnishing bail bond of Rs. 20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-II-cum-Excise Court, Vaishali at Hajipur in connection with Hajipur Sadar PS Case No. 147/2020.

(Anil Kumar Sinha, J)

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