

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35162 of 2021

Arising Out of PS. Case No.-162 Year-2019 Thana- GAIGHAT District- Muzaffarpur

MANOJ RAI SON OF LAKSHMAN RAI @ LAKSHMAN RAY
RESIDENT OF VILLAGE- DHOBAULI PEAR BHELLA, P.S.- GAIGHAT,
DISTRICT- MUZAFFARPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vindhya Keshri Kumar, Sr. Adv.
Mr. Neeraj Kumar Alias Sanidh, Adv.
For the Opposite Party/s : Mr. Nitya Nand Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 04-01-2022 Heard Mr. Vindhya Keshri Kumar, learned senior
counsel for the petitioner and Mr. Nitya Nand Tiwary,
Additional Public Prosecutor for the State through video
conferencing.

Petitioner seeks regular bail in connection with
Gaighat PS Case No. 162/2019 registered for the offence
punishable under Sections 272, 273, 120B of the IPC and
Section 30(a) of Bihar Prohibition & Excise Act.

As per, First Information Report, the police, on the
basis of secret information that the petitioner has brought
consignment of illicit liquor, proceeded towards the place of
occurrence and recovered 2617.560 litres of illicit liquor from a
truck bearing No. HR69A-8899.



Learned counsel for the petitioner submits that the petitioner has not committed any offence in the manner alleged and he has falsely been implicated in this case on the basis of secret information and the illicit liquor recovered from the truck does not belong to the petitioner. Learned counsel further submits that petitioner is neither the owner nor the driver of the said truck.

Learned counsel next submits that petitioner is in custody since 08.02.2021 and the charge sheet has been submitted. Learned counsel also submits that prior to lodging of the present case, no case was pending against the petitioner but after lodging of this case, two other cases have been lodged against the petitioner.

Having regard to the submissions made by the parties and taking into consideration the material on record and the fact that petitioner is in custody since 08.02.2021, charge sheet has been submitted, no illicit liquor has been recovered from the conscious possession of the petitioner, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, MANOJ 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 Special Judge, Excise, Muzaffarpur in
connection with Gaighat PS Case No. 162/2019.

(Anil Kumar Sinha, J)

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