

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36859 of 2021**

Arising Out of PS. Case No.-678 Year-2020 Thana- MAHUA District- Vaishali

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RAMESH RAI @ RAMESH KUMAR @ RAMESH KUMAR RAI S/o Late
Lagan Rai @ Ram Lagan Rai R/o village- Mahua Ram Rai, P.S.- Mahua,
Distt.- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nityanand, Adv.

For the Opposite Party/s : Mr. Yogendra Kumar Singh, APP

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**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER**

2 05-01-2022 Heard learned counsel for the parties through video conferencing.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 30(a), 32(ii), 34(ii), 38(ii) and 41(i) of the Bihar Prohibition and Excise Act, 2016.

As per the prosecution case, on information having been received, a raid was conducted and a total of 32.325 litres of liquor is stated to have been recovered from the four motorcycles and two accused persons were taken into custody. It is stated that the arrested accused disclosed that they had purchased the liquor from the petitioner herein.

It is submitted by learned counsel for the petitioner



that the petitioner has been falsely implicated in the case because of his antecedent. Neither was he arrested at the spot nor any incriminating article has been recovered from his possession. He is in custody since 25.2.2021 and chargesheet has been submitted in the case.

The application for bail is opposed by learned A.P.P. for the State who submits that the petitioner has several antecedents under the Bihar Prohibition and Excise Act, 2016.

Having heard learned counsel for the parties and taking into consideration the facts of the case, the allegations in the F.I.R together with the petitioner having remained in custody for over 10 months, the Court directs the petitioner to be enlarged on bail in connection with Mahua P.S. Case no.678 of 2020 on furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-II-cum-Excise Court, Vaishali at Hajipur.

(Partha Sarthy, J)

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