

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38162 of 2021

Arising Out of PS. Case No.-688 Year-2020 Thana- KUDHNI District- Muzaffarpur

NANDLAL RAI Son of Jamurat Rai @ Jay Murat Ray Resident of Village-
Mohanpur, P.S.- Kudhani, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jitendra Narain Sinha, Adv.

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 18-01-2022 Heard Mr. Jitendra Narain Sinha, learned counsel
for the petitioner and Mr. Sanjay Kumar Tiwary, Additional
Public Prosecutor for the State through video conferencing.

Petitioner seeks regular bail in connection with
Kudhani (Turki OP) PS Case No. 688/2020 registered for the
offence punishable under Sections 30(a) of Bihar Prohibition &
Excise Act 2016.

The allegation, as per prosecution case, is that the
police on getting secret information, that a consignment of illicit
liquor has been kept by the petitioner in Bathan/cow-shed of
accused, Naresh Shah, proceeded towards the place of
occurrence and recovered total quantity of 37.695 litres of illicit
Indian made foreign liquor from the said Bathan/cow-shed.

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 received by the police. He further submits that no illicit liquor has been recovered from the conscious possession of the petitioner or from the premises belonging to the petitioner.

Learned counsel further submits that petitioner is in custody since 15.02.2021, charge-sheet has already been submitted in the matter, trial is not likely to be concluded in near future due to pandemic.

Having regard 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, petitioner is in custody since 15.02.2021, charge-sheet has already been submitted in the matter, trial is not likely to be concluded in near future due to pandemic, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, NANDLAL 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 Act, Muzaffarpur



in connection with Kudhani (Turki OP) PS Case No. 688/2020.

(Anil Kumar Sinha, J)

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