

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39463 of 2021**

Arising Out of PS. Case No.-101 Year-2021 Thana- GAIGHAT District- Muzaffarpur

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RAMNATH RAI @ RAMNATH YADAV S/o Nageshwar Rai Resident of
Village- Ramauli, P.S.- Gaighat (Benibad O.P.), District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Priyesh Kumar, Adv.

For the Opposite Party/s : Mr. Rajendra Nath Jha, APP

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

2 13-01-2022 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 272, 273, 414 and 34 of the Indian Penal Code and sections 30(a), 36 and 41(1) of the Bihar Prohibition and Excise Act, 2016.

As per the prosecution case, on a raid being conducted, 222.375 litres of liquor is said to have been recovered from the house of the petitioner.

It is submitted by learned counsel for the petitioner that no incriminating article has been recovered from his possession or his house. The house belongs to the joint family. The petitioner was not apprehended at the spot. He is in custody since 2.4.2021 and has no criminal antecedent. Chargesheet has



been submitted in the case.

Heard learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the facts of the case, the petitioner not having any criminal antecedent and having remained in custody for over 9 months, the Court directs the petitioner to be enlarged on bail in connection with Gaighat (Benibad O.P.) P.S. Case no.101 of 2021 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 Special Judge, Excise, Muzaffarpur.

(Partha Sarthy, J)

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