

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40573 of 2021**

Arising Out of PS. Case No.-179 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.
District- Muzaffarpur

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ARJUN RAY Son of Mahesh Ray Resident of Village- Fatehpur Bakhari,
P.S.- Ahiyapur, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Pankaj Kumar Singh, Adv.
For the Opposite Party/s : Mr.Ganesh Prasad Singh, APP

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 03-01-2022 Heard the learned counsel for the petitioner and the

learned APP for the State.

The petitioner seeks regular bail in connection
with Excise case no. 179 of 2020 instituted for the offences
punishable under Section 30(a) of Bihar Prohibition and Excise
Act, 2016.

The allegation is regarding recovery of 542.220
liters of illicit liquor from the abandoned house of one Raj
Kumar Rai and during the course of inquiry, it transpired that
the petitioner is also involved in the business of trading of illicit
liquor.

The learned counsel for the petitioner has
submitted that the petitioner is innocent and has been falsely
implicated in the present case.



The learned counsel for the petitioner has further submitted that the petitioner is an accused in one other case but he is on bail in the said case. The petitioner is stated to be languishing in custody since 22.03.2021 and neither any illicit liquor has been recovered from the conscious possession of the petitioner nor from his house.

Per contra, the learned A.P.P. for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the materials available on record as also considering the fact that the illicit liquor has neither been recovered from the conscious possession of the petitioner nor from his house, I deem it fit and proper to admit the petitioner to the privilege of bail. Accordingly, the abovenamed petitioner is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of learned court of Special Judge (Excise), Muzaffarpur in connection with Excise case no. 179 of 2020.

(Mohit Kumar Shah, J)

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