

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.42022 of 2021**

Arising Out of PS. Case No.-92 Year-2021 Thana- RIGA District- Sitamarhi

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VINOD RAY S/O LATE DEO NARAYAN RAY R/O VILLAGE-MARAR,  
P.S.-RIGA, DISTRICT-SITAMARHI.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Ashok Kumar Jha, Advocate

For the Opposite Party/s : Ms.Pushpa Sinha.1, APP

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**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH**  
**ORAL ORDER**

2      05-01-2022                      Heard the learned counsel for the petitioner and the  
learned A.P.P. for the State.

The petitioner seeks regular bail in connection with  
Riga P.S. Case No. 92 of 2021 for the offence registered under  
Sections 272 and 273 of the Indian Penal Code and Section  
30(A) of the Bihar Prohibition and Excise Act, 2016.

The allegation is regarding recovery of 130.680 litres  
of illicit foreign liquor from a hut situated in a mango orchard.

The learned counsel for the petitioner has submitted  
that the petitioner is innocent, has been falsely implicated in the  
present case and he is languishing in custody since 13.03.2021.  
The learned counsel for the petitioner has referred to paragraph  
no. 7 of the petition to submit that the said mango orchard in  
question does not belong to the petitioner. Neither any illicit



liquor has been recovered from the conscious possession of the petitioner nor from his house.

Per contra, the learned counsel 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 petitioner and taking into account the materials available on record as also considering the fact that the mango orchard in question from where the illicit liquor has been recovered, does not belong to the petitioner and no illicit liquor has been recovered from the conscious possession of the petitioner herein, I deem it fit and proper to direct for release of the petitioner herein on regular bail.

Accordingly, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional District Judge-II-cum-Special Judge, Excise Act, Sitamarhi in connection with Riga P.S. Case No. 92 of 2021.

**(Mohit Kumar Shah, J)**

S.Sb/-

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