

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42077 of 2021

Arising Out of PS. Case No.-14 Year-2019 Thana- MAHINDWARA District- Sitamarhi

SUDHIR RAI Son of Bhagnarayan Rai @ Bhagyanarayan Rai Resident of
Village - Muksudpur, P.S.- Minapur, Distt.- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Santosh Kumar
For the Opposite Party/s : Ms. Sangeeta Sharma

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 31-01-2022 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner seeks regular bail in connection with Mahindwara Police Station Case No. 14 of 2019, registered for the offences punishable under Sections 30 (a)/38 (i)/41 of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, as per the First Information Report, is that the police, on the basis of the secret information that the petitioner, along with others are indulged in the trade of illicit liquor, proceeded towards the place of occurrence and recovered 3047.085 litres of illicit liquor from beside the huts of co-accused Sunil Rai and Kunal Kumar.

Learned Counsel for the petitioner submits that the petitioner has falsely been implicated in this case on the basis of



the secret information received by the policed and no illicit liquor has been recovered from the conscious possession and/or premises belonging to the petitioner. He further submits that co-accused Samir Kumar and Ajay Rai have been granted bail by co-ordinate Bench of this Court, vide order, dated 22.07.2019, passed in Criminal Misc. No. 45083 of 2019. He further submits that the petitioner is in custody since 28.04.2021 and charge sheet has been submitted against the petitioner and as such, there is no likelihood that the petitioner will abscond and/or tamper with the evidence.

Regards being had to the submissions advanced on behalf of the parties concerned and taking into consideration the materials available on record and the fact that no illicit liquor has been recovered from the possession of the petitioner, he is in custody since 28.04.2021, co-accused persons have been granted bail by this Court, charge sheet has already been submitted and there is no likelihood of the trial being concluded in near future due to pandemic, I am inclined to grant regular bail to the petitioner.

This application is, accordingly, allowed.

Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 25,000/- (twenty five thousand)



with two sureties of the like amount each to the satisfaction of
learned 2nd Additional Sessions Judge -cum- Special Judge,
Excise, Sitamarhi, in connection with Mahindwara Police
Station Case No. 14 of 2019.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

U	✓	T	✓
---	---	---	---

