

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46398 of 2021

Arising Out of PS. Case No.-89 Year-2021 Thana- PATEPUR District- Vaishali

Raj Kumar Ray S/O Krishandev Ray R/O Village-Barbatta, P.S- Musrigharari,
District- Samastipur.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jitendra Narain Sinha

For the Opposite Party/s : Mr.Umanath Mishra, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 25-02-2022 Heard.

The petitioner seeks regular bail in connection with Patepur P.S. Case No. 89 of 2021, registered for the offence punishable under sections 30(a), 32(ii), 38(ii) and 41(1) of the Bihar Prohibition and Excise Act, 2018.

The case of the prosecution in brief is that upon secret information received by the police, the informant along with his police force had reached at the place of occurrence and had apprehended one truck and four vehicles, whereupon six persons were arrested and upon search, huge quantity of illicit liquor was recovered from a truck and the other vehicles in question. The petitioner is alleged to be one of the person engaged in trade of illicit liquor, as had been disclosed by the arrested persons.



The learned counsel for the petitioner has submitted that the petitioner is innocent, has been falsely implicated in the present case, is having a clean antecedent and is languishing in custody since 16.04.2021. The learned counsel for the petitioner has further submitted that similarly situated co-accused persons have already been granted bail by co-ordinate Benches of this Court, one of such order being the one dated 21.02.2022 passed in Cr. Misc. No. 44717 of 2021.

Per contra, Mr. Umanath Mishra, the learned APP 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 parties and taking into account the materials available on record as also considering the parity of the case of the petitioner with that of the co-accused persons who have already been granted bail by co-ordinate Benches of this Court, I deem it fit and proper to admit the petitioner to the privilege of regular bail.

Accordingly, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs. 10,000/- with two sureties of the like amount



each to the satisfaction of the learned Court of Additional Sessions Judge-II-cum- Excise Court, Vaishali at Hajipur in connection with Patepur P.S. Case No. 89 of 2021.

(Mohit Kumar Shah, J)

Tiwary/-

U			
---	--	--	--

