

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43816 of 2021**

Arising Out of PS. Case No.-99 Year-2021 Thana- SHEOHAR District- Sheohar

VIJAY RAI Son of Late Rajendra Rai Resident of Village - Basahiya, P.S.-
Piprahi, District - Sheohar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amrendra Kumar, Advocate

For the Opposite Party/s : Ms. Anita Kumari Singh, APP

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

2 25-01-2022 Heard the learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks regular bail in connection with
Sheohar P.S. Case No. 99 of 2021 for the offence registered
under Section 30A of the Bihar Excise Amendment Act.

The allegation is regarding recovery of 9 litres of
illicit Nepali Soufi wine from a motorcycle being driven by the
petitioner.

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 05.03.2021.
The learned counsel for the petitioner submits that the
motorcycle in question belongs to the brother of the petitioner,
hence the liability of the illicit liquor recovered from the said



motorcycle cannot be saddled upon the petitioner herein.

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 period of incarceration 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 and Sessions Judge-cum-Special Excise Judge-2nd, Sheohar in connection with Sheohar P.S. Case No. 99 of 2021.

(Mohit Kumar Shah, J)

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