

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46136 of 2021

Arising Out of PS. Case No.-370 Year-2020 Thana- CHAPRA TOWN District- Saran

RAJU RAY @ RAJU RAI S/o Chandeshwar Ray @ Chandeshwar Rai
Resident of Village- Rauza, Pashchhimari, P.S.- Chapra Town, District- Saran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ramashray Roy, Advocate
For the Opposite Party/s : Mr. Rajesh Kumar, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 25-02-2022 The instant case has been taken up for consideration through the mode of Video conferencing in view of the prevailing situation on account of COVID 19 Pandemic, requiring social distancing.

Heard the learned counsel for the petitioner and Sri Rajesh Kumar, the learned APP for the State.

The petitioner seeks regular bail in connection with Chapra Town PS case no. 370 of 2021 instituted for the offences punishable under Sections 30(a), 41(i)(ii) of Bihar Prohibition and Excise Act, 2018.

The allegation is regarding recovery of 154.125 liters of illicit liquor from a house which is stated to be in joint possession of the petitioner and his father.

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 03.06.2021. The learned counsel for the petitioner has further submitted that the father of the petitioner has already been granted bail by a co-ordinate Bench of this Court vide order dated 24.06.2021, passed in Cr. Misc. no. 7274 of 2021.

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 parity of the case of the petitioner with that of the co-accused person who has already been granted bail by a co-ordinate Bench of this Court as also considering the fact that the petitioner is languishing in custody since 03.06.2021, apart from the fact that the petitioner is having a clean antecedent, 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 2nd Additional Sessions Judge-



cum-Special Judge (Excise), Saran at Chapra in connection with
Chapra Town PS case no. 370 of 2020.

(Mohit Kumar Shah, J)

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