

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45568 of 2021

Arising Out of PS. Case No.-327 Year-2021 Thana- MADHAURAH District- Saran

ASHOK RAI @ ASHOK RAY @ ASHOK PRASAD YADAV Son of Gorakh
Ray Resident of Village- Khalispur, P.S.- Marhowrah, District- Saran at
Chapra.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dewendra Narayan Singh, Adv.

For the Opposite Party/s : Mr. Yogendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 31-01-2022 Heard learned counsel for the parties through video
conferencing.

The petitioner has preferred this application for grant
of regular bail in a case registered under sections 30 and 30(a)
of the Bihar Prohibition and Excise Act, 2016.

As per the prosecution case, on a raid being
conducted 521.625 litres of liquor was recovered, however, four
accused persons managed to escape. The local villagers etc.
disclosed the identity of the four accused persons which
included the petitioner herein.

It is submitted by learned counsel for the petitioner
that neither the petitioner was arrested at the spot nor any
incriminating article has been recovered from his possession. He



has no concern with the seized liquor. He has been falsely implicated in the case because of his antecedent. He is in custody since 4.7.2021 and chargesheet has been submitted in the case.

Heard learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the facts of the case, the petitioner not being arrested at the spot and having remained in custody for over 6 months, the Court directs the petitioner to be enlarged on bail in connection with Madhaura P.S. Case no. 327 of 2021 on furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned 2nd Additional Sessions Judge-cum-Special Judge, Excise, Saran at Chapra.

(Partha Sarthy, J)

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