

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46263 of 2021

Arising Out of PS. Case No.-364 Year-2020 Thana- NAGAR District- Vaishali

UMESH RAI S/o Late Ramashankar Rai @ Cycle Rai R/o Mohalla/Village-
Dakbunglow Road, P.S.- Hajipur Town, District- Vaishali, At present Residing
at Adalwari, P.S.- Hajipur Town, District- Vaishali

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vasant Vikas, Advocate

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

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 25-02-2022 Heard the learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner seeks regular bail in connection with
Hajipur Town P.S. Case No. 364 of 2020 for the offence registered
under Sections 30, 30(a), 32(c) and 38(d) of the Bihar Prohibition
and Excise Act, 2006.

The allegation is regarding recovery of 5610.78 litres of
illicit foreign liquor from the godown of one Cycle Rai who is
stated to be the father of 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 01.04.2021.
The learned counsel for the petitioner has further submitted that
the godown in question from where the illicit liquor has been
recovered, is in the joint possession of the petitioner and his
brother Ganesh Rai and the said co-accused person namely Ganesh



Rai has already been granted bail by a coordinate Bench of this Court vide order dated 05.08.2021 passed in Criminal Misc. No. 24653 of 2021.

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 parity of the case of the petitioner with that of the co-accused person who has already been granted bail by a coordinate Bench of this Court vide order dated 05.08.2021 passed in Criminal Misc. No. 24653 of 2021, 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 Sessions Judge-II-cum-Excise Court, Vaishali at Hajipur in connection with Hajipur Town P.S. Case No. 364 of 2020.

(Mohit Kumar Shah, J)

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