

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47425 of 2021

Arising Out of PS. Case No.-14 Year-2021 Thana- INDUSTRIAL AREA District- Vaishali

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UMESH RAI S/o Late Ramashankar Rai @ Ramashankar Rai Resident of
Mohalla- Anjanpur, P.S.- Hajipur Town, District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Akbar Ali, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

5 29-03-2022 Heard learned counsel for the parties.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 420, 467 and 468 of the Indian Penal Code and sections 30(a), 36 and 41(1) of the Bihar Prohibition and Excise Act, 2016.

As per the prosecution case, on information having been received that six named accused persons including the petitioner herein were involved in the trade of liquor and were going to get large quantity of liquor transferred, it is stated that a raid was conducted. A total of 429.4 litres of liquor was recovered from the truck and the FIR registered.

It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in the case because of his antecedents. From the FIR itself it would transpire that the petitioner is not the owner of the truck. He has



no concern with the allegedly seized liquor. The petitioner was not arrested at the spot. He is in custody since 17.4.2021 and charge sheet has been submitted in the case. It is further submitted by learned counsel for the petitioner that a supplementary affidavit is being filed bringing on record a copy of the receipt of deposit of a cost of Rs. 5000/- as directed by order dated 23.3.2022. The supplementary affidavit is taken on record.

Heard learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the facts of the case, the petitioner not having been caught at the place of occurrence and having remained in custody for more than 11 months, the Court directs the petitioner to be enlarged on bail in connection with Industrial Area P.S. Case no. 14 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 Additional Sessions Judge II-cum-Excise Court, Vaishali at Hajipur.

(Partha Sarthy, J)

Prakash/-

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