

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48512 of 2021

Arising Out of PS. Case No.-313 Year-2020 Thana- RAJAOLI District- Nawada

Gorelal Rajvanshi S/O Kameshwar Rajwanshi R/O Village-Kariganw, P.S-
Rajauli, District-Nawada.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Man Mohan Kumar

For the Opposite Party/s : Mr.Shailendra Kumar

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 07-03-2022 Heard.

The petitioner seeks regular bail in connection with Rajauli P.S. Case No. 313 of 2020, registered for the offence punishable under sections 30(a)/41 of the Bihar Prohibition and Excise Act, 2016.

The allegation is regarding recovery of 95 liters of illicit country made *Mahua* liquor from a motorcycle.

The learned counsel for the petitioner has submitted that the petitioner is innocent, has been falsely implicated in the present case. The learned counsel for the petitioner has submitted that though the petitioner is accused in one other case, but he is on bail in the said case. It is further submitted by referring to paragraph No. 7 of the present petition



that the motorcycle in question does not belong to the petitioner, hence the petitioner is not having complicity in the matter. Lastly, it is submitted that in fact, similarly situated co-accused persons have already been granted anticipatory bail by a co-ordinate Bench of this Court vide order dated 25.10.2021 passed in Cr. Misc. No. 506 of 2021.

Per contra, the learned APP 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 parties and taking into account the materials available on record as also considering the fact that illicit liquor has neither been recovered from the conscious possession of the petitioner nor the motorcycle in question from which the illicit liquor has been recovered, belongs to the petitioner and the petitioner is languishing in custody since 02.03.2021, I deem it fit and proper to admit the petitioner to the privilege of regular bail.

Accordingly, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of the learned Court of



Additional Sessions Judge II-cum- Special Judge, Excise
Act, Nawada in connection with Rajauli P.S. Case No.
313 of 2020.

(Mohit Kumar Shah, J)

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