

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52134 of 2021

Arising Out of PS. Case No.-101 Year-2021 Thana- GAIGHAT District- Muzaffarpur

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INDAL RAI S/o UMESH RAI R/o VILLAGE-RAMAULI, P.S-GAIGHAT,
DISTRICT-MUZAFFARPUR.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nachiketa Jha, Adv.

For the Opposite Party/s : Mr. Zainul Abedin, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 03-03-2022

Heard learned counsel for the parties.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 272, 273, 414 and 34 of the Indian Penal Code and sections 30(a), 36 and 41(i) of the Bihar Prohibition and Excise Act, 2016.

As per the prosecution case, while some accused persons managed to escape, a total of 222.375 litres of liquor is said to have been recovered from two motorcycles from the house of co-accused Ramanand Rai. The petitioner was identified by the Choukidar as amongst the accused who had managed to escape.

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



has no concern with the liquor, the place of its recovery or the motorcycles from which the same is said to have been recovered. The petitioner is in custody since 5.7.2021 and has no criminal antecedent.

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

Having heard learned counsel for the parties and taking into consideration the facts of the case specially the petitioner not having any criminal antecedent, the Court directs the petitioner to be enlarged on bail in connection with Gaighat P.S. Case no.101 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 Special Judge, Excise Act, Muzaffarpur.

(Partha Sarthy, J)

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