

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51645 of 2021

Arising Out of PS. Case No.-321 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- Sitamarhi

=====

VIJAY KUMAR RAY S/o RAJ KAPOOR RAY R/o VILLAGE-
NARAYANPUR WARD No.1, P.S-MALANGWA, DISTRICT-SARLAHI,
NEPAL.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Virendra Kumar

For the Opposite Party/s : Mr.Anant Kumar 1

=====

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 15-04-2022 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner seeks regular bail in connection with
Case No. C2/321/2021, registered for the offences punishable
under Section 30(a) of the Bihar Prohibition and Excise Act,
2016.

The prosecution case, as per the prosecution Report, is
that the SSB officials recovered a total quantity of 78 litres, out
of which 36 litres of illicit liquor was recovered from the
bicycle of the petitioner and the petitioner was arrested at the
spot.

Learned Counsel for the petitioner submits that the
petitioner has not committed any offence in the manner alleged



and he has falsely been implicated in this case merely on suspicion. He further submits that no illicit liquor has been recovered from the conscious possession of the petitioner inasmuch as the illicit liquor has been recovered from a bicycle standing by the side of the road. He further submits that the petitioner is in custody since 09.07.2021, having no criminal antecedent.

Regards being had to the submissions advanced on behalf of the parties concerned and taking into consideration the materials available on record and the fact that the petitioner has got no criminal antecedent and he is in custody since 09.07.2021, I am inclined to grant regular bail to the petitioner.

This application is, accordingly, allowed.

Let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 20,000/- (twenty thousand) each with two sureties of the like amount each to the satisfaction of learned 2nd Additional Sessions Judge -cum- Special Judge, Excise, Sitamarhi, in connection with Case No. C2/321/2021.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

U	✓	T	✓
---	---	---	---

