

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43428 of 2022

Arising Out of PS. Case No.-14 Year-2019 Thana- MAHINDWARA District- Sitamarhi

SUNIL RAI @ SUNIL KUMAR Son of Jalim Rai Resident of Village -
Chakki Rampur (Chak Rampur), P.S.- Mahindbara, District - Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ritesh Kumar Narain Singh

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

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 24-08-2022 Heard the parties.

Petitioner has renewed his prayer for regular bail in connection with Mahindbara PS Case No. 14 of 2019 registered under Section 30 (a) / 38 (i) / 41 of the Bihar Prohibition and Excise Act, 2016, inasmuch earlier the bail application of the petitioner was dismissed as withdrawn vide Cr. Misc. No. 3816 of 2022 granting liberty to him to renew his prayer for bail after three months.

A total quantity of 3047.085 liters of illicit foreign liquor has allegedly been recovered from two huts, one hut situated beside the house of the petitioner and another hut situated beside the house of the co-accused / Kunal Rai.

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



and he has falsely been implicated in this case merely on the basis of suspicion. He next submits that illicit liquor has not been recovered from the conscious possession of the petitioner and / or premises belonging to the petitioner. He next submits that the petitioner is in custody since 05.10.2021.

Taking into consideration the fact that this is second attempt for grant of bail on behalf of the petitioner and liquor has not been recovered from the premises belonging to the petitioner but the petitioner has criminal antecedent accordingly I am inclined to grant regular bail to the petitioner **after completion of one year in custody.**

Let the petitioner, above named, be released on regular bail **after completion of one year in custody** on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Additional District & Sessions Judge-II -cum- Special Judge (Excise) , Sitamarhi in connection with Mahindbara PS Case No. 14 of 2019.

(Anil Kumar Sinha, J)

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