

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56694 of 2021

Arising Out of PS. Case No.-40 Year-2021 Thana- RAJPUR District- Buxar

VIJAY RAI @ VIJAY SHANKAR RAI Son of Late Basu Rai @ Vasu Rai
Resident of Village- Nanaura, P.S.- Rajpur, District- Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajeev Ranjan, Advocate

For the Opposite Party/s : Mr.Ashok Kumar, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 31-01-2022 Heard the learned counsel appearing for the petitioner and
learned A.P.P. for the State.

The petitioner seeks regular bail in connection with
Rajpur P.S. Case No. 40 of 2021 for the offence punishable
under Sections 467, 468, 471 and 120(B)/34 of the Indian Penal
Code and Sections 30(a)(d) of the Bihar Prohibition and Excise
Act.

The allegation is regarding recovery of 22 litres of illicit
liquor from the house of the co-accused person namely Shayam
Narayan Sah and when interrogation was made by the police
qua the arrested persons, they had disclosed the names of the
other accused persons involved in the illicit trade of liquor
including that of the petitioner herein.

The learned counsel for the petitioner has submitted that
the petitioner is innocent, he has been falsely implicated in the



present case and is languishing in custody since 10.08.2021. It is further submitted that neither the petitioner has been arrested from the spot nor any illicit liquor has been recovered from the conscious possession of the petitioner herein.

Per contra, the learned A.P.P. 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 learned counsel for the petitioner and taking into account the materials available on record as also considering the fact that neither any illicit liquor has been recovered from the conscious possession of the petitioner or from his house, I deem it fit and proper to direct for release of the petitioner on regular bail.

Accordingly, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-II-cum-Special Judge, Excise Act, Buxar in connection with Rajpur P.S. Case No. 40 of 2021.

(Mohit Kumar Shah, J)

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