

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47088 of 2022

Arising Out of PS. Case No.-117 Year-2020 Thana- GAIGHAT District- Muzaffarpur

=====

LAXMI RAI @ LAKSHMI KUMAR YADAV S/o Late Sakal Dev Rai R/o
village- Shekhpura, P.S.- Ahiyapur, District- Muzaffarpur, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Sumit Shekhar Pandey

For the Opposite Party/s : Mr.Md. Aslam Ansari

=====

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 07-09-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner has renewed his prayer for regular bail in connection with Gaighat PS Case No. 117 of 2020 registered under Section 272 / 273 of the IPC and Section 30 (a) of the Bihar Prohibition and Excise Act, 2016 inasmuch as earlier bail application of the petitioner *vide* Cr. Misc. No. 54055 of 2021 was rejected by this court by order dated 09.02.2022 granting him liberty to renew his prayer for regular bail after six months from the date of order if the trial does not record any progress. This is 2nd attempt for bail on behalf of the petitioner.

The prosecution case as per the First Information



Report is that a total quantity of 4527.360 liters of illicit liquor has been recovered from one truck, three pick-up vans and two motorcycles and the petitioner is said to be the person engaged in the trade of illicit liquor along with others.

Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case and he has not committed any offence in the manner alleged. He next submits that no illicit liquor has been recovered from the conscious possession and / or premises belonging to the petitioner. He further submits that the petitioner was not arrested on the spot. He also submits that petitioner is neither the owner nor the driver of the truck in question. He further submits that petitioner is in custody since 21.06.2021.

Regard being had to the submissions made by the petitioner, taking into consideration the period of custody of the petitioner i.e. since 21.06.2021 and the fact that this is second attempt for bail on behalf of the petitioner, I am inclined to grant regular bail to the petitioner.

Let the petitioner, above named, be released on regular bail on furnishing bail bond of Rs. 20000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge Excise, Muzaffarpur, Bihar



in connection with Gaighat Thana PS Case No. 117 of 2020.

(Anil Kumar Sinha, J)

praful/-

U		T	
---	--	---	--

