

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.53139 of 2022**

Arising Out of PS. Case No.-313 Year-2022 Thana- DANAPUR District- Patna

Arvind Rai, Son of Late nand Kishoe Rai, Resident of Village - Purani  
Panapur, P.S.- Akilpur, Distt.- Saran (Chapra).

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Sunit Kumar Srivastava, Advocate

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

**CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA**  
**ORAL ORDER**

2      23-11-2022                      Heard learned counsel for the petitioner and learned  
APP for the State.

Let the defect (s), as pointed out by the office, be  
removed within a period of four weeks.

In the present case, the petitioner seeks bail in  
connection with Danapur P.S. Case No. 313 of 2022 registered  
for the alleged offences under Sections 30(a) and 38(ii) of the  
Bihar Prohibition and Excise Act, 2018.

As per prosecution case, the petitioner was  
apprehended with 50 litres of country made liquor which he was  
carrying in a plastic bag on a motorcycle.

The learned counsel for the petitioner submits that the  
petitioner is innocent and has been falsely implicated in this  
case by the police while he was returning home in the night after



attending a marriage ceremony. The petitioner has no concern either with the motorcycle in question or the allegedly seized illicit liquor. Nothing incriminating has been recovered from his conscious possession. The petitioner is in custody since 28.04.2022 and the charge-sheet has been submitted in this case. The petitioner is having clean antecedent.

Learned APP opposes the prayer for bail.

Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the clean antecedent of the petitioner along with his period of custody and submission of charge-sheet, the petitioner above named is directed to be released on bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge Excise, Danapur in connection with Danapur P.S. Case No. 313 of 2022, subject to the conditions mentioned in Section 437(3) of the Code of Criminal Procedure and also the following conditions :

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates



or in violation of the terms of the bail, the bail  
bond of the petitioner will be liable to be  
cancelled by the court concerned.

**(Arun Kumar Jha, J)**

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