

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55052 of 2022

Arising Out of PS. Case No.-228 Year-2022 Thana- MAHUA District- Vaishali

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Ram Briksh Ray Son of Bindeshwar Ray R/V- Samanpura, P.S- Mahua, Dist-
Vaishali.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Santosh Kumar, Adv.

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

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 18-11-2022 Let the defect(s), if any, be removed within two weeks
from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State through virtual mode.

The petitioner seeks regular bail in connection with
Mahua P.S. Case No. 228 of 2022, lodged under Sections 272 &
273 of Indian Penal Code read with Section 30(a) & 41(i) of the
Bihar Prohibition and Excise Act.

As per prosecution case, the total recovery of 3383.49
liter of wine is the subject matter relating to the present case
which has been recovered from one Hywa and one pickup van.

Learned counsel for the petitioner submits that
petitioner is innocent and has committed no offence. He further
submits that petitioner is neither owner nor driver or *khalasi* of
the said pickup van or Hywa vehicle. He also submits that name
of petitioner has figured in this case only by virtue of the secret

information as indicated in the F.I.R. He further submits that petitioner is in custody since 22.08.2022, charge sheet has already been filed in this case and antecedent of petitioner is clean. Learned counsel also submits that the another co-accused person have already been granted anticipatory bail in this case by the Co-ordinate Bench of this Court vide order dated 21.06.2022 passed in Cr. Misc. No. 31294 of 2022.

Learned counsel for the State opposes the prayer for bail.

In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Special Excise Court No.2-cum-Additional District and Sessions Judge, Hajipur at Vaishali in connection with Mahua P.S. Case No. 228 of 2022, subject to the conditions as laid down under Section 437(3) of Cr.P.C.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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