

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65685 of 2021

Arising Out of PS. Case No.-266 Year-2021 Thana- TARAIYA District- Saran

SURESH RAI, S/o Late Jaleshwar Rai Resident of Village- Bhalua Nakta,
P.S.- Taraiya, District- Saran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prabhakar Nath Rai

For the Opposite Party/s : Mr.Md. Anbzarul Haque Sahara, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 11-02-2022 Heard the learned counsel for the petitioner and the
learned APP for the State, through Video Conferencing.

The petitioner seeks bail in connection with Taraiya
P.S. Case No. 266 of 2021, instituted for the offences under
Section 30(a) of Bihar Prohibition and Excise (Amendment)
Act, 2018.

The learned counsel for the petitioner submits that the
petitioner is in custody since 06.09.2021, charge-sheet has been
submitted and has antecedent of eight cases and allegation is of
recovery of 6000 litres of spirit from a truck, as detailed in the
FIR and the driver, Bhola Pandey was arrested.

The learned counsel submits that the petitioner was
not arrested from the spot and his name came in the confessional
statement of co-accused, Bhola Pandey. It is further submitted



that since petitioner have antecedent, as such, the police through Bhola Pandey, implicated the petitioner in this case.

The learned A.P.P. vehemently opposes the bail application.

Considering the fact the petitioner is in custody since 06.09.2021, charge-sheet has been submitted and name of the petitioner transpired in the confessional statement of co-accused, the petitioner, above-named, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned 2nd Additional Sessions Judge-cum-Special Judge, Excise, Saran, in connection with Taraiya P.S. Case No. 266 of 2021, with a condition that one of the bailor shall be the nephew (Bhagina) of the petitioner (Pappu Kumar).

The application stands allowed.

(Satyavrat Verma, J)

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