

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66710 of 2021

Arising Out of PS. Case No.-555 Year-2021 Thana- MANER District- Patna

Rain Rai, Son of Late Brij Nandan Rai, Resident of Village- Haldi Chapara
Puranka Tola, P.S.- Maner, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Braj Kishore Singh, Advocate

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

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 01-06-2022 Heard learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks bail in connection with Maner
P.S. Case No.555 of 2021, Special Case No.4733 of 2021,
registered for the offence punishable under Section 30(a) of the
Bihar Prohibition and Excise(Amendment) Act, 2018.

As per prosecution case, the petitioner has been
apprehended while he was taking 15 litres *Mahuwa* wine from a
kiosk. 85 litres has also been recovered from behind the kiosk.

Counsel for the petitioner submits that the
petitioner is on bail in Maner P.S. Case No.319 of 2019 and on
account of his implication in the said case, he was arrested and
named as an accused in the instant case. It is submitted that he
has no concern with the recovered substance and the same has



been planted due to high-handedness of the police. It is further submitted that the investigation is complete.

Learned APP for the State has opposed the prayer for bail.

Considering the rival submissions and having regard to the petitioner's custody (since 02.08.2021), the fact that the investigation is complete as also the quantum of recovery from the petitioner, this Court for the purposes of grant of bail is inclined to accept the submissions advanced by the petitioner's counsel. Prayer for bail of the petitioner is allowed.

Let the petitioner, above named, 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 the learned Special Judge, Excise, Patna, in connection with Maner P.S. Case No.555 of 2021, Special Case No.4733 of 2021, subject to the following conditions:

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well



represented on each date and if he fails
to do so on two consecutive dates, his
bail bond will be liable to be cancelled.

This Court would expect that the petitioner's counsel
would honour his undertaking in the instant proceedings
regarding supply of the requisite court fee etc. within two weeks
from the date he is called upon to do so by the office.

(Madhuresh Prasad, J)

PNM

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

