

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57579 of 2022

Arising Out of PS. Case No.-270 Year-2022 Thana- SAHPUR District- Patna

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Munna Rai Son of Pandit Lal Rai @ Pandit Rai Resident of village - Beyapur,
P.S.- Maner, District – Patna.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Mishra, Adv.

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

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 02-12-2022 Let the defect, if any, be removed within two weeks
from today.

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

The petitioners seek regular bail in connection with
Special Excise Case No. 861 of 2022 arising out of Shahpur P.S.
Case No. 270 of 2022, lodged under Sections 30(a), 56 & 41 of
Bihar Prohibition and Excise Act.

As per prosecution case, the total recovery of 240 liter
foreign liquor have been made from different motorcycles,
which is subject matter of the present case.

Learned counsel for the petitioners submits that
petitioner is innocent and has committed no offence. He further
submits that it has been alleged in the F.I.R. that on the

motorcycle of petitioner 60 liter wine was loaded and petitioner is owner of one of the motorcycle. He further submits that antecedent of petitioner is clean, he is in custody since 14.06.2022 and charge sheet has already been filed in this case. He also submits that under deep rooted conspiracy Police has lodged this case against the petitioner and from the seizure list it also transpires that there is gross violation of Section 100 of Cr.P.C. in preparing the seizure list. He further submits that in paragraph-10 of the application he has categorically disclosed that the similarly situated co-accused persons have been granted bail by the Co-ordinate Bench of this Court vide orders dated 02.09.2022 & 23.09.2022 passed in Cr. Misc. Nos. 44353 of 2022 & 49748 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 Judge, Excise Act, Danapur in connection with Special Excise Case No. 861 of 2022 arising out of Shahpur P.S. Case No. 270 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.)

ravishankar/-

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