

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70070 of 2021**

Arising Out of PS. Case No.-138 Year-2019 Thana- VAISHALI District- Vaishali

AKHILESH RAY @ AKHILESH KUMAR Son of Ram Chandra Rai
Resident of Village - Rahimpur, P.s.- Vaishali, Distt.- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok, Advocate

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

**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER**

2 08-04-2022 Heard learned counsel for the parties through video conferencing.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 30(a), 32(2) and 41(1) of the Bihar Prohibition and Excise Act, 2016.

As per the prosecution case, on information having been received, a raid was conducted and 6201 litres of liquor was recovered and accused persons were caught. It is stated that the accused Kira Ram disclosed that the 7 named accused persons including the petitioner herein in the previous night were consuming liquor and were stating that the liquor would be arriving by truck.

It is submitted by learned counsel for the petitioner that the allegations leveled against the petitioner are false and



concocted. He was neither arrested at the place of occurrence nor any incriminating article has been recovered from his possession. The only material against him is the statement of a co-accused made before police. He has no concern with the seized liquor nor with the place of its recovery or the vehicle in question. He is in custody since 11.9.2021 and charge sheet has been submitted in the case.

Heard learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the facts of the case together with the petitioner having remained in custody for more than 6 months and charge sheet having been submitted in the case, the Court directs the petitioner to be enlarged on bail in connection with Vaishali P.S. Case no. 138 of 2019 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise, Vaishali at Hajipur.

(Partha Sarthy, J)

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