

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71774 of 2021

Arising Out of PS. Case No.-232 Year-2020 Thana- SARAI District- Vaishali

Shiv Mangal Rai @ Shiv Mangal Yadav Son of Ramjee Rai Resident of
Village- Manpura near Kanhauli Bazar, P.S.- Mahua, District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

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

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 28-02-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in connection with Sarai P.S.
Case No. 232 of 2020 instituted for the offences under Sections
30(a), 32(ii), 34(ii) and 41(i) of the Excise Act.

Learned counsel for the petitioner submits that the
petitioner is in custody since 27.09.2021, charge-sheet has been
submitted in the case and has antecedent of five cases.

Learned counsel for the petitioner submits that the
allegation is of recovery of 1299.24 litres of liquor from a
pickup van.

Learned counsel for the petitioner submits that the
petitioner was not arrested from the spot and his name came in
the confessional statement of co-accused Niranjana Kumar which



has no evidentiary value. It is further submitted that the petitioner has been falsely implicated merely because of his antecedents at the behest of the police.

Learned A.P.P. for the State opposes the prayer for bail of the petitioner.

Considering the fact that the petitioner is in custody, charge-sheet has been submitted in the case, was not arrested from the spot and his name came in the confessional statement of the co-accused, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-II-cum-Excise Court, Vaishali at Hajipur in connection with Sarai P.S. Case No. 232 of 2020.

(Satyavrat Verma, J)

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