

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.4689 of 2023**

Arising Out of PS. Case No.-272 Year-2022 Thana- BHAGWANPUR District- Vaishali

1. HARI GOPAL RAI Son of Late Ram Prit Rai R/V- Kiratpur Raja Ram, P.S- Bhagwanpur, Dist- Vaishali
2. Vinod Rai Son of Vijay Rai R/V- Kiratpur Raja Ram, P.S- Bhagwanpur, Dist- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Anirudh Kumar Sinha

For the Opposite Party/s : Mr.Veena Kumari Jaiswal

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR  
PANDEY**

ORAL ORDER

2      28-04-2023                      Heard learned counsel for the petitioners as well as  
learned APP for the State.

In this case, the petitioners are seeking regular bail in connection with Bhagwanpur P.S. Case No. 272 of 2022, registered for the offences punishable under Sections 272, 273 of the IPC and 30(a) of Bihar Prohibition and Excise Act, 2018.

As per allegation, the police got a confidential information that huge quantity of liquor was being unloaded. Thereafter, the police raided that place. Both the petitioners were arrested and 990 litres of foreign liquor was recovered from the place of occurrence.

The learned counsel for the petitioners has submitted



that petitioners are innocent and have falsely been implicated in this case. They are under custody since 23.11.2022.

So far as petitioner no. 2 Vinod Rai is concerned, there is no criminal antecedent against him.

Considering the above-mentioned facts and circumstances, let the **petitioner no. 2 Vinod Rai** above-named be released on bail on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of learned Exclusive Special Court No.-1-cum-Additional District and Sessions Judge, Vaishali at Hajipur in connection with Bhagwanpur P.S. Case No. 272 of 2022, subject to the following conditions:-

(i) The petitioner no. 2 shall cooperate in the disposal of trial and make themselves available as and when required by the court.

(ii) If the petitioner no. 2 is found involved in future in the similar type of offence, the prosecution will have liberty to file an application before the court below for cancellation of the bail of the petitioner no. 2 and the learned court below will take decision in accordance with law.

So far as **petitioner no. 1 Hari Gopal Rai** is



concerned, he is involved in seven other cases. In my view, he does not deserve the privileges of bail, which is hereby **rejected.**

**(Nawneet Kumar Pandey, J)**

Kundan/Nirmal

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

