

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5677 of 2023

Arising Out of PS. Case No.-147 Year-2021 Thana- VAISHALI District- Vaishali

=====

SANJAY RAI @ SANJAY KUMAR S/O VINOD RAY R/v- Saine, P.S.-
Vaishali (Belsar O.P.) in the district- Vaishali

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Sunil Kumar

For the Opposite Party/s : Mr.Yogendra Kumar Singh

=====

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

ORAL ORDER

2 28-04-2023 This case has been listed out of turn at the instance of the learned counsel for the petitioner through a mentioning slip on the ground of marriage of the petitioner's sister to be performed on 01.05.2023. The xerox copy of wedding card/invitation card has been annexed with the mentioning slip at flag-A.

Heard the learned counsel for the petitioner and learned APP for the State.

This is an application for regular bail on behalf of the petitioner for the offences alleged under Sections 30(a) and 41(i) of the Bihar Prohibition and Excise Act in connection with Vaishali P.S.Case No. 147 of 2021

As per allegation, from a Bolero vehicle 191.88 litres



of liquor was recovered.

The learned counsel for the petitioner has submitted that the petitioner is innocent. He is neither the owner nor the driver of the Bolero vehicle, nor he has been arrested on the spot. He has been made accused only on the basis of his involvement in another case, which has been mentioned in paragraph no.3 of the bail petition. He is in custody since 12.07.2022.

Considering the above facts and circumstances, 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 learned Exclusive Special Excise Court No.2-cum-Addl.District and Sessions Judge, Vaishali at Hajipur in connection with Vaishali P.S.Case No. 147 of 2021, subject to the following conditions:-

1. The petitioner shall cooperate in the disposal of trial and make available available as and when required by the court.
2. If the petitioner 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 and the learned court below will
take decision in accordance with law.

The Superintendent of Police, Vaishali, Hajipur, is
directed to inquire into the matter regarding
authenticity/veracity of the marriage of the petitioner's sister to
be solemnized 01.05.2023 and report to this Court within four
weeks.

Office is directed to issue a letter to the
Superintendent of Police, Vaishali, Hajipur, annexing the xerox
copy of the wedding card/invitation card showing the marriage
of the petitioner's sister on 01.05.2023.

List the matter after four weeks.

(Nawneet Kumar Pandey, J)

HR/-

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

