

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11853 of 2023

Arising Out of PS. Case No.-318 Year-2022 Thana- RAGHOPUR District- Vaishali

SHEONATH RAI S/O LATE RAMDEO RAI Resident of Village- Madaha
P.S.- Rustampur (O.P.), District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Usha Kumari Singh

For the Opposite Party/s : Mr.Syed Ehteshamuddin

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 11-07-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for bail in a case registered
for the offence punishable under sections 272, 273 of Indian
Penal Code and Section 30(a) of the Bihar Prohibition and
Excise Act.

According to the FIR, prosecution case relates to
recovery of 671.340 litres of Indian made foreign liquor from
Jhalasi near Ganga river.

Learned counsel appearing on behalf of the petitioner
has submitted that petitioner is innocent and has committed no
offence. He has no concern with the alleged recovery of illicit
liquor or with the place of occurrence. The name of the
petitioner sprang up in this case on the basis of secret
information. Neither the petitioner was arrested on spot nor any



incriminating article has been recovered from his conscious possession. There is no independent witness of the alleged seizure. Moreover, similarly situated co-accused namely, Muni Lal Rai has already been granted bail by this Court vide order dt. 25.2.2023 passed in Cr. Misc. No. 73864 of 2022. The petitioner has no criminal antecedent and languishing in judicial custody since 27.1.2023.

Learned APP appearing for the State has opposed the prayer of Bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge Excise Court 2nd-cum-Additional District & Sessions Judge, Vaishali, Hajipur in connection with Raghapur (Rustampur O.P.) P.S. Case No. 318 of 2022.

(Sunil Kumar Panwar, J)

Amandeep/-

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

