

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17679 of 2023

Arising Out of PS. Case No.-240 Year-2022 Thana- PIPRAHI District- Sheohar

Chhotak Rai @ Jinish Rai @ Ramjinish Rai Son of Ramashish Ray @
Ramjunush Ray R/v- Amba Kala, P.S.- Piprahi, District- Sheohar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance:

For the Petitioner/s : Mr. Hans Lal Kumar, Advocate

For the Opposite Party/s : Mr. Chandra Bhushan Prasad, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

- 2 09-05-2023 1. Heard learned counsel for the petitioner and the learned
APP for the State.
2. Petitioner seeks regular bail in connection with Piprahi
P.S. Case No. 240 of 2022 dated 25.09.2022 registered for the
offence punishable under Section 30(a) of Bihar Prohibition and
Excise Act.
3. The main submissions advanced by learned counsel for
petitioner are that the instant matter relates to the recovery of
331.2 litres of country made Nepali liquor and the same is stated
to have been recovered from an open place near a river and
petitioner is not stated to have been apprehended at the spot and
seven persons including the petitioner have been named in the
FIR, out of them five have been granted bail by this bench as
well as other benches of this Court and the petitioner's case

stands on similar footing with them and he has been languishing in jail since 01.12.2022 and against him the investigation has been completed. Further submission is that the petitioner has criminal antecedent of one case but he is on bail in the said case.

4. Learned APP for the State opposes the bail prayer of the petitioner.

5. Considering the above submissions and mainly the facts that the petitioner was not apprehended at the spot of recovery of the alleged liquor and his name was revealed by local chowkidar and against him the investigation has been completed and also the fact that the recovery of the alleged liquor was made from an open place accessible to common people, in my opinion, it is a fit case for bail to the petitioner. Accordingly, let the petitioner named above be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of concerned Court in connection with Piprahi P.S. Case No. 240 of 2022.

(Shailendra Singh, J)

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