

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.14009 of 2023**

Arising Out of PS. Case No.-546 Year-2022 Thana- KESARIA District- East Champaran

INDRAJEET RAY Son of Badri Rai R/V- Mohammadpur Duma, P.S-  
Kesariya Dist- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Abhishek Kumar

For the Opposite Party/s : Mr.Lakshmi Kant Sharma

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

ORAL ORDER

2      19-05-2023                      Heard the learned counsel for the petitioner as well as  
the learned Additional Public Prosecutor for the State.

The petitioner is seeking regular bail in connection with Kesariya P.S. Case No. 546 of 2022, registered for offence punishable under sections 272, 273 of the Indian Penal Code and section 30 (a),(b),(c), 32 (i) of the Bihar Prohibition and Excise Act, 2016.

As per FIR, there is allegation of manufacturing illicit liquor and 30 litres of country-made liquor and 1500 litres of semi prepared liquor were recovered from the bank of the river.

The learned counsel for the petitioner has submitted that the recovered liquor was not from the conscious possession of the petitioner and it was destroyed by the raiding party. He



has submitted further that the petitioner is innocent and has falsely been implicated in this case. He is under custody since 21.12.2022. There is no any other case of similar nature against him and on similar footing, co-accused Awadhesh Sahani has been granted bail by a coordinate Bench of this Court in Cr. Misc. No. 17938 of 2023.

On the other hand, the learned APP has opposed the prayer for bail.

Considering the above-mentioned facts and circumstances, let the petitioner above-named be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand rupees) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court No. 2, Motihari, East Champaran in connection with Kesariya P.S. Case No. 546 of 2022, subject to the following conditions:-

- (i) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court.
- (ii) At the time of furnishing bail bond, the petitioner shall file an affidavit to the effect that he shall not indulge himself in future in the similar type of offence. If it is found so, 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.

(Nawneet Kumar Pandey, J)

Mahesh/-

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

