

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17443 of 2023

Arising Out of PS. Case No.-143 Year-2021 Thana- RAGHOPUR District- Vaishali

PANKAJ RAI S/O KAILASH RAI Resident of village- Litiyahi, P.S.-
Raghopur (Rustampur O.P.), District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar

For the Opposite Party/s : Mr. Kanhaiya Kishore, App, 100

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 12-05-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under section 30(a) of the Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of recovery of 3710.25 liters of illicit foreign liquor from a truck which is said to have been brought.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has falsely been implicated in this present case. Petitioner has no concern with the alleged recovery of illicit liquor or with the seized truck from where the illicit liquor was recovered. Neither the petitioner was apprehended on spot nor



no any incriminating article has been recovered from his conscious possession. Moreover, similarly situated co-accused namely, Jintendra Rai has already been granted bail by a co-ordinate Bench of this Court vide order dated 22.12.2021 passed in Cr. Misc. No. 70011 of 2021. The petitioner is languishing in judicial custody since 28.1.2023.

Learned APP appearing for the State has vehemently 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 released on bail in connection with Raghapur P.S. Case No. 143 of 2021 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge-Cum-Exclusive Special Excise Court-II, Vaishali at Hajipur.

(Sunil Kumar Panwar, J)

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