

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24762 of 2023

Arising Out of PS. Case No.-180 Year-2023 Thana- FATUA District- Patna

Rudal Ray Son Of Late Munarik Ray Resident of village - Gadhochak, P.S. -
Nadi, Distt. - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance:

For the Petitioner/s : Mr. Jay Ram Prasad, Advocate
For the Opposite Party/s : Mr. Nityanand, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

- 2 15-05-2023 1. Heard learned counsel for the petitioner and the learned
APP for the State.
2. Petitioner seeks regular bail in connection with Fatuha
P.S. Case No. 180 of 2023 dated 06.03.2023 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
150 litres of illicit country-made mahua liquor and the same is
stated to have been recovered from the bank of Punpun river
and the said place is an open public place and the petitioner was
apprehended on suspicion and the alleged recovery was made
before two police personnel and there is no independent witness
of the seizure and the petitioner has been languishing in jail

since 07.03.2023.

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

5. Considering the above submissions and mainly the facts that the alleged recovery of wine was made from the bank of a river as appears from the FIR and the said place is stated to be an open place and the witnesses of the seizure are official persons, 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 Fatuha P.S. Case No. 180 of 2023.

(Shailendra Singh, J)

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