

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33610 of 2023**

Arising Out of PS. Case No.-2 Year-2023 Thana- MALSALAMI District- Patna

BAIDH NATH RAY @ BAIDHYA NATH RAY S/O HULASH RAY @
HULASHA YADAV R/O Village- Jafarabad, P.S- Raghapur, (Rustampur-
O.P), Distt.- Vaishali.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhaneshwar Prasad Gupta

For the Opposite Party/s : Mr. Pronoti Singh

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 24-05-2023 Learned counsel for the petitioner is permitted to

remove defect (s), as pointed out by the office, if any, within a

period of four weeks on resumption of physical mode.

Heard learned counsel for the petitioner and learned

A.P.P for the State.

The petitioner has preferred this application for grant

of regular bail in connection with Malsalami P.S. Case No. 02 of

2023 dated 01.01.2023 registered for the offences punishable u/s

30(a), 36 of Bihar Prohibition and Excise Act-2016.

As per the prosecution case, total 80 litres country

made liquor was seized from five motorcycles.

Learned counsel for the petitioner has submitted that

the petitioner is innocent and has falsely been implicated in this



case. The seized motorcycles do not belong to the petitioner. The petitioner is neither the owner nor the driver of the said vehicle. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 01.01.2023.

Learned A.P.P for the State has vehemently opposed the bail petition of the petitioner.

Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs. 20.000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of Learned Exclusive Spl. Judge, Excise, Patna City, Patna in connection with Malsalami P.S. Case No. 02 of 2023.

The application stands allowed.

(Chandra Prakash Singh, J)

Guddu kr/-

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