

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49341 of 2021

Arising Out of PS. Case No.-825 Year-2020 Thana- NAGAR District- Vaishali

RAJU RAY S/o Garbhu Ray R/o Village/Mohalla- Dakbanglow Road,
Anwarpur, P.S.- Town, Hajipur, District- Vaishali

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Satya Prakash Sinha, Advocate

For the Opposite Party/s : Mr.Manoj Kumar, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

8 10-01-2023 Heard the learned counsel for the petitioner and

the learned APP for the State.

The petitioner seeks regular bail in connection with Hajipur Town PS case no. 825 of 2020 instituted for the offences punishable under Sections 30(A), 30(C), 38 of Bihar Prohibition and Excise (Amendment) Act, 2018.

At the outset, the learned counsel for the petitioner submits that the petitioner has already been granted provisional bail vide order dated 19.05.2022, passed by a co-ordinate Bench of this Court, nonetheless, it is submitted that though the allegation is regarding recovery of 435.39 litres of illicit liquor from the shop situated at Dakbanglow



Complex of Hajipur Nagar Parishad but the petitioner has been implicated in the present case only because he is having a bad antecedent, inasmuch as he is an accused in 09 other cases but the fact is that the petitioner is on bail in all the said 09 cases. It is thus submitted that the provisional bail granted to the petitioner be made absolute since the present case is pending only in anticipation of submission of report by the Superintendent of Excise, Vaishali at Hajipur, which has now been submitted before this Court vide letter dated 22.06.2022, wherein it has been stated that Shop no. 21/A was allotted on 23.11.1996 to Smt. Gayatri Devi and Shop no. 23/A was allotted on 22.11.1996 to Shri Dinesh Singh and according to the agreement/ conditions specified therein, no illegal work is permitted in the shop and the allottee would be responsible for the same and as far as the present case is concerned, both the said allottees of the shop have already been made accused in the present case.

I have heard the learned counsel for the parties and I am satisfied with the report submitted by the Office of Superintendent of Excise, Vaishali at Hajipur, vide letter dated 22.06.2022, hence, I do not deem it fit and appropriate to keep the present case pending any longer, thus, the order dated



19.05.2022, by which the petitioner has been granted
provisional bail, is made absolute.

The present petition stands disposed off.

(Mohit Kumar Shah, J)

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