

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47505 of 2023**

Arising Out of PS. Case No.-295 Year-2022 Thana- DARIYAPUR District- Saran

SHATRUDHAN RAI, Son of Barai Rai Resident of Village-Samanchak, P.S.-
Dariyapur, District-Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Udai Shankar Singh, Advocate
For the Opposite Party/s : Mr.Nawal Kishore Prasad, APP

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

ORAL ORDER

2 04-08-2023 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.

2. Heard learned counsel for the petitioner and learned A.P.P for the State.

3. The petitioner has preferred this application for grant of regular bail in connection with Dariyapur P.S. Case No. 295 of 2022 dated 26.05.2022 registered for the offences punishable u/ss 30 and 30(a) of the Bihar Prohibition and Excise Act.

4. As per the prosecution case, on seeing the police personnel, two persons started to flee away but a person was apprehended who disclosed his name as the co-accused Umesh Rai and also disclosed the name who fled away as the petitioner. They were engaged in preparing liquor. On search, 200 litres of illicit liquor and 5000 litres of pass were recovered from the Katghar of



the Hardia Chawar.

5. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The name of the petitioner was disclosed by the co-accused Umesh Rai. Nothing has been recovered from the conscious possession of the petitioner. It is further submitted that the petitioner has no concern with the alleged recovery. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 11.04.2023.

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

7. 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 Court concerned, Chapra, Saran in connection with Dariyapur P.S. Case No. 295 of 2022.

8. The application stands allowed.

(Chandra Prakash Singh, J)

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