

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49974 of 2023

Arising Out of PS. Case No.-185 Year-2022 Thana- DERNI BAZAR District- Saran

Shailesh Rai S/O Nand Kishor Rai @ Bhera Rai R/O Village- Pojhi Ps. Derni
Distt. Saran At Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Kumar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 19-08-2023 Heard the learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in connection with
Derni P.S. Case No. 185 of 2022 registered for the offence under
Sections 414 of the Indian Penal Code and 30(a) of the Bihar
Prohibition and Excise Act.

3. As per the prosecution case, it is alleged that
there is recovery of 50 liters of country made wine from the co-
accused Pappu Kumar.

4. Learned counsel for the petitioner submits that
the petitioner is in custody since 03.05.2023, he is quite
innocent and has not committed any offence.

5. Learned counsel for the petitioner further
submits that there is no recovery from the conscious possession



of the petitioner. The name of the petitioner has been disclosed by co-accused Pappu Kumar. Petitioner has two similar criminal antecedents.

6. Learned A.P.P. has vehemently opposed the prayer for bail.

7. Considering the allegations against the petitioner and the recovery, this application for regular bail is allowed.

8. Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Addl. Sessions Judge-2nd-cum-1st Exclusive Special Judge, Excise, Saran at Chapra/concerned Court below in connection with Derni P.S. Case No. 185 of 2022 subject to the condition that:-

8(i) The petitioner will mark his attendance at the *Derni* Police Station on the first Sunday of each month. Any default in appearance at the Police Station would result in cancellation of bail bond of the petitioner.

(Sandeep Kumar, J)

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