

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59684 of 2023

Arising Out of PS. Case No.-106 Year-2023 Thana- DESARI District- Vaishali

SUDARSHAN RAI Son of Jay Prakash Rai @ Jayprakash Ray R/o vill -
Rampur Khairi @ Khairi, P.S. - Desari (Sahdei O.P.), Distt. - Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rina Sinha

For the Opposite Party/s : Mr.Damodar Prasad Tiwary

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 08-09-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under section 30(a) of the Bihar Prohibition and Excise Act.

3. As per FIR, prosecution case relates to recovery of total 571 liters of India Made Foreign liquor along with two motorcycles from premises of temple. The petitioner is said to have indulged in illicit trade of liquor.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has falsely been implicated in this present case. Petitioner has no concern with the alleged recovery of illicit liquor or with the vehicles in question rather his named



was disclosed by local villagers. Neither the petitioner was arrested on spot nor any incriminating article has been recovered from his conscious possession. Moreover, he is languishing in judicial custody since 17.8.2023.

5. Learned APP appearing for the State has vehemently opposed the prayer of Bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Desari (Sahdei O.P.) P.S. Case No. 106 of 2023 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court No-1-cum Addl. District & Sessions Judge, Vaishali at Hajipur.

(Sunil Kumar Panwar, J)

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