

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63972 of 2022

Arising Out of PS. Case No.-291 Year-2022 Thana- KHAJEKALA District- Patna

BAIJU RAI @ BAIJU YADAV @ BAIJU RAY, Son of Late Suresh Rai @
Shivratan Rai @ Siretan Rai, Resident of- Fauzdari Kuan, Guru Govind Singh
Hospital, P.S.- Khajekalan, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arvind Kumar Pradhan, Advocate

For the Opposite Party/s : Mr.Sucheta Yadav, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 20-01-2023

Today being Friday, matters are being taken up through
virtual mode, as per current procedure for hearing.

Heard learned counsel for the petitioner and the learned
APP for the State.

The petitioner seeks bail in connection with Khajekalan
P.S. Case No. 291 of 2022 registered for the offence punishable
under Section 30(a) of the Bihar Prohibition and Excise
(Amendment) Act, 2018.

102.40 liters illicit liquor has been recovered from the
petitioner's house, as per allegation in the FIR.

Learned counsel for the petitioner submits that petitioner
had no knowledge about the liquor being kept. He disputes and
denies the recovery altogether and submits that liquor was recovered
elsewhere and petitioner has been made accused because of his
antecedents, two in number, as per disclosure made in para 3 of the
bail petition. He is in custody since 17.09.2022.



Learned APP for the State has opposed the prayer for bail.

Having regard to the manner of recovery, the submissions advanced by the parties, period of custody and the fact that investigation is complete, this Court is inclined to allow the petitioner's prayer for bail.

Prayer for bail of the petitioner is allowed.

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 Ex. Special Judge Excise, Patna City, in connection with Khajekalan P. S. Case No. 291 of 2022, subject to the following conditions:-

- (i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.
- (ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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