

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 67208 of 2023

Arising Out of PS. Case No.-176 Year-2019 Thana- GOVERNMENT OFFICIAL COMP.
District- Muzaffarpur

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Sunil Rai @ Sunil Kumar Son of Kedar Rai @ Kedar Prasad Yadav r/o vill -
Shivrahan Basudeo, P.S. - Ahiyapur, Distt. - Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Chandra Shekhar Anand, Adv.
For the Opposite Party/s : Mr. Nirmal Kumar Sinha, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 17-10-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Excise Case No. 176 of 2019 arising out of P.R. No.- 1 dated
11.11.2019, lodged under Section 30(a) of the Bihar Prohibition
and Excise Act.

3. As per the prosecution case, the total recovery of
2329.200 litre illicit liquor has been made, which is the subject
matter of the present case which has alleged to be recovered
from a truck.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. Counsel
submits that the petitioner is neither owner nor driver of the
truck. Counsel submits that there were other accused persons

also to whom, this Hon'ble Court has granted bail vide order dated 20.08.2022 & 25.07.2023 passed in Cr. Misc. No. 33460 of 2022 & Cr. Misc. No. 42588 of 2023 respectively. Counsel also submits that the petitioner is in custody since 25.08.2023 and there are two criminal cases pending against the petitioner in which he is on bail.

5. Learned counsel for the State opposes the prayer for bail and submits that the bail to the co-accused has been granted after framing of charge or on completion of one and half year in custody. Another co-accused has also granted bail by similar conditions.

6. In the present facts and circumstances of this case and the submissions made above, I am not inclined to grant bail to the petitioner and, therefore, his bail petition is hereby rejected.

7. However, liberty is hereby granted to the petitioner that he may renew his prayer for bail six months after framing of charge.

8. With this observation, the bail application stands rejected.

(Dr. Anshuman, J.)

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