

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67438 of 2022

Arising Out of PS. Case No.-401 Year-2022 Thana- MALSALAMI District- Patna

Sanjay Rai @ Nanki Kumar @ Nanki S/o Nageshwar Rai R/o Village- Chhoti Nagala, Sangram Chak, P.S.- Malsalmi, Distt- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kaushal Kishor, Advocate

For the Opposite Party/s : Mr. Suman Kumari Singh, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 08-02-2023 Heard the learned counsel for the petitioner and the learned APP for the State.

The petitioner seeks regular bail in connection with Malsalami P.S. Case No.401 of 2022, registered for the offence punishable under Sections 30(a)/36 of the Bihar Prohibition & Excise Amendment Act, 2018.

The allegation is regarding recovery of 5 litre of illicit liquor from the co-accused person, namely, Sujal Kumar, who, on interrogation, had disclosed that the petitioner used to get the liquor sold by using his services.

The learned counsel for the petitioner



has submitted that the petitioner is innocent, he has been falsely implicated in the present case and he is languishing in custody since 08.08.2022. The learned counsel for the petitioner has further submitted that the petitioner is an accused in four other criminal cases, but he is on bail in the said cases.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the materials available on record as also considering the fact that neither the petitioner has been arrested from the spot nor any illicit liquor has been recovered from his possession, I deem it fit and proper to direct for release of the petitioner on regular bail.

Accordingly, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the



satisfaction of learned Exclusive Special Judge,
Excise, Patna City in connection with Malsalami P.S.
Case No.401 of 2022.

(Mohit Kumar Shah, J)

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