

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67808 of 2022

Arising Out of PS. Case No.-332 Year-2022 Thana- PAROO District- Muzaffarpur

SIDDHARTH RAI @ SIDDHARTH KUMAR RAI @ FANTUS RAI Son of
Awadhesh Roy @ Awadhesh Kumar Roy @ Subodh Ray R/v- Chintamanpur,
P.S.- Paroo, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nachiketa Jha, Adv.

For the Opposite Party/s : Mr. Dr.Mrityunjaya Kr.Gautam, 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, Dr.
Mritunjaya Kumar Gautam.

The petitioner seeks regular bail in connection with Paroo P.S. Case No.332 of 2022, registered for the offences punishable under Sections 420, 467, 468, 471/120B of the Indian Penal Code, Sections 30(a)/31/32/41(a) of the Bihar Prohibition and Excise Act, and Sections 25(1-b)a/26/35 of the Arms Act.

It has been alleged that upon raid, a four wheeler vehicle being used in the trade of illicit liquor, huge quantity of illicit liquor, four live cartridges, cash amount, etc. were recovered and



upon the apprehended persons being interrogated, it transpired that other miscreants were also involved in the trade of illicit liquor including the petitioner herein.

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 09.10.2022. The learned counsel for the petitioner has further submitted that the petitioner is an accused in one another case, but he is on bail in the said case. The learned counsel for the petitioner has also submitted that at the time the alleged occurrence had taken place, the petitioner was languishing in custody in connection with one another criminal case, though in the said case, he has been subsequently enlarged on bail, hence, it is submitted that the petitioner is not having any complicity in the matter.

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 on record as also considering the fact that on the alleged date of occurrence, the petitioner was in judicial custody, 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 Court of Special Judge (Excise), Court No.II, Muzaffarpur in connection with Paroo P.S. Case No.332 of 2022, subject to verification of the fact that as to whether the petitioner was in judicial custody on the date of alleged occurrence.

(Mohit Kumar Shah, J)

kanchan/sonal-

U		T	
---	--	---	--

