

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67233 of 2022

Arising Out of PS. Case No.-160 Year-2022 Thana- KANHAULI District- Sitamarhi

SUNIL RAI Son of Vinod Rai @ Binod Ray R/V- Larakwa, P.S- Kanhauli,
Dist- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Hans Lal Kumar, Advocate
For the Opposite Party/s : Mr.Mohammed Arif, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

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

The petitioner seeks regular bail in connection with Kanhauli P.S. Case No. 160 of 2022, for the offence registered under Section 30(a) of the Bihar Prohibition and Excise Act, 2018.

The allegation is regarding recovery of 61.200 litres of illicit Nepali wine and 08.625 litres of illicit foreign liquor from the house of the petitioner.

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 27.10.2022. The learned counsel for the petitioner has further submitted that the petitioner is an accused in two other cases but he is on bail in one of the said case. Lastly, it is submitted that the house of the petitioner is in joint possession of him and his family members, hence the petitioner cannot be solely saddled with the liability of the illicit liquor recovered from the house in question.

Per contra, the learned A.P.P. 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 period of incarceration of the petitioner herein as also considering the fact that the petitioner was not arrested from the spot and the house in question is in joint possession of the petitioner and his family members, I deem it fit and proper to admit the petitioner to the privilege of bail.

Accordingly, the petitioner, above named,



is directed to 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 learned Exclusive Special Excise Court No.1, Sitamarhi in connection with Kanhauli P.S. Case No.160 of 2022.

(Mohit Kumar Shah, J)

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