

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71912 of 2022

Arising Out of PS. Case No.-205 Year-2022 Thana- NAANPUR District- Sitamarhi

SANTOSH RAI Son of Sri Ramdeo Rai @ Ram Dev Ray Resident of village-
Kurhar (Chikwatola), Ward No.-4, P.O.- Dhadhi, P.S.- Nanpur, District-
Sitamarhi, Bihar- 843333

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amrit Abhijat, Adv.

For the Opposite Party/s : Mr.Damodar Prasad Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 09-02-2023 Heard the learned counsel for the petitioner
and the learned APP for the State.

The petitioner seeks regular bail in
connection with Nanpur P.S. Case No. 205 of
2022, registered for the offence punishable under
Section 30(a) of the Bihar Prohibition and Excise
Act.

The allegation is regarding recovery of
51.300 liters of illicit liquor from a hut, stated to
be belonging to 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 12.9.2022. The learned counsel for the petitioner has further submitted by referring to paragraph no. 8 of the present petition that the hut in question does not belong to the petitioner and the petitioner has been falsely implicated in the present case merely because he is an accused in three other cases, although he is on bail in all the said three cases. It is further submitted that no illicit liquor has been recovered from the conscious possession of the petitioner.

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 any illicit liquor has been recovered from the conscious possession of the petitioner nor the hut in question is stated to be belonging to the petitioner, 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 Excise Court-II, Sitamarhi in connection with Nanpur P.S. Case No. 205 of 2022.

(Mohit Kumar Shah, J)

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