

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72489 of 2022

Arising Out of PS. Case No.-676 Year-2022 Thana- BARHARA District- Bhojpur

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DASRATH KUMAR RAI S/O BHIKHARI RAI Resident of village-
Dhudhua, P.S.- Ara Muffasil, District- Bhojpur at Ara.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Manoj Kumar Singh, Adv.

For the Opposite Party/s : Mr.J.N. Thakur, APP

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**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

3 21-04-2023 Heard learned counsel for the petitioners as well as

learned APP.

In this case, the petitioner is seeking regular bail in
connection with Barhara P.S. Case No. 676 of 2022, registered for
the offences punishable under Sections 30(a) of the Bihar Prohibition
and Excise Act 2018.

The learned counsel for the petitioner has submitted
that he is under custody for seven months for the allegation that 200
litres of *desi mahua* liquor was recovered from his motorcycle but
the real fact is that the motorcycle does not belong to the petitioner.
The petitioner is a person of clean antecedent.

On the other hand, the learned APP, Shri J.N. Thakur
has opposed the prayer for bail.

Considering the above-mentioned facts and



circumstances, let the petitioner, above-named, be released on bail on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of learned Court 1st Exclusive Special Excise Court, Bhojpur at Ara, Patna in connection with Barhara P.S. Case No. 676 of 2022, subject to the following conditions:-

- (i) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court.
- (ii) If the petitioner is found involved in future in the similar type of offence, the prosecution will have liberty to file an application before the court below for cancellation of the bail of the petitioner and the learned court below will take decision in accordance with law.

(Nawneet Kumar Pandey, J)

Sudha/Sonali

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