

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74293 of 2022

Arising Out of PS. Case No.-154 Year-2022 Thana- DORIGANJ District- Saran

UGAN RAI @ AKHILESH KUMAR @ AKHILESH RAI SON OF SHRI
BALMUKUND RAI @ MUKUND KUMAR R/O VILLAGE- WEST
BALUA, P.S.- DORIGANJ, DISTRICT- SARAN (CHHAPRA)

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shailesh Kumar

For the Opposite Party/s : Mr.Madhura Nand Jha

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 10-02-2023 Heard the learned counsel for the petitioner
and the learned APP for the State.

The petitioner seeks regular bail in connection with Doriganj P.S. Case No. 154 of 2022, registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2018.

The allegation is regarding recovery of 1200 liters of illicit country made chulai liquor from near the river bank and it is alleged that the petitioner had fled from the spot.

The learned counsel for the petitioner has submitted that the petitioner is innocent, he has



been falsely implicated in the present case, he is having a clean antecedent and he is languishing in custody since 21.11.2022. The learned counsel for the petitioner has further submitted that neither the petitioner has been arrested from the spot nor any illicit liquor has been recovered from his conscious possession nor the place in question from where the illicit liquor has been recovered belongs to the petitioner, hence, 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 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 conscious 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 Additional District and Sessions Judge 2nd cum Exclusive Special Excise Court No. 1, Saran at Chapra in connection with Doriganj P.S. Case No. 154 of 2022.

(Mohit Kumar Shah, J)

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