

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74030 of 2022

Arising Out of PS. Case No.-609 Year-2022 Thana- RAMPUR District- Gaya

SHAILESH KUMAR RAI S/O BHULAR RAI Resident of Village- Naya Panapur, P.S.- Akilpur, District- Chapra(Saran).

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar, Advocate

For the Opposite Party/s : Mr.Bishweshwar Ram, APP

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 Rampur PS case no. 609 of 2022 instituted for the offences punishable under Section 30(a) and other allied sections of Bihar Prohibition and Excise Act.

The allegation is regarding recovery of 18 liters of illicit liquor from OLA Zesta car and the petitioner was arrested from the spot.

The learned counsel for the petitioner submits that the petitioner is innocent, has been falsely implicated in the present case and is languishing in custody since 09.11.2022. The learned counsel for the petitioner has further submitted that the petitioner is accused in one other case but he is on bail in the said



case. It is also contended that considering the period of incarceration of the petitioner, a sympathetic view may be taken.

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 parties and taking into account the materials available on record as also considering the period of incarceration of the petitioner herein, I deem it fit and appropriate to admit the petitioner to the privilege of bail.

Accordingly, the abovenamed petitioner is directed to be released on regular bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of learned court of Exclusive Special Excise Court no. 1, Gaya in connection with Rampur PS case no. 609 of 2022.

(Mohit Kumar Shah, J)

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