

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4000 of 2023

Arising Out of PS. Case No.-20 Year-2020 Thana- PATORI District- Samastipur

Akhilesh Ray @ Goliya @ Golaiya Son Of Nagina Ray @ Nagina R/O
Village- Tara Dhamaun, P.S.- Shahpur Patori, District- Samastipur, Bihar,
India

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manish Chandra Gandhi

For the Opposite Party/s : Mr.Khurshid Anwar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 05-04-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under section 272 and 273 of the IPC and Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

It is a case of recovery of total 343.480 liters of country made liquor from the back side of hut of the petitioner.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case due to previous criminal antecedent. Petitioner is not apprehended on the spot nor he is the owner of the place of occurrence from where so-called wine



has been recovered. It is further submitted that nothing incriminating article has been recovered from his conscious possession. Petitioner is remanded in this case from another case on 24.05.2022, since then he is languishing in judicial custody.

Learned APP appearing for the state has opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as judicial custody, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Shahpur Patori @ Patori P.S. Case No. 20 of 2020 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge Excise-02, Samastipur.

(Sunil Kumar Panwar, J)

Manish/-

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