

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75330 of 2022**

Arising Out of PS. Case No.-134 Year-2022 Thana- GOVERNMENT OFFICIAL COMP.
District- Vaishali

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JANJALI RAI @ JANGALI RAI @ JAIJALI RAI S/O RAMJANAM RAI @
RAM JANAM RAY Resident of village- Diwantok Ward No- 6, P.S.-
Gangabridge, District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ravish Mishra

For the Opposite Party/s : Mr.Shaheen Begum

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**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER**

2 20-01-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for bail in a case registered
for the offence punishable under sections 30(a), 32(1), 32(3),
41(1), 41(2) of the Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of 420 litres of
country made liquor from Bolero pick-up van and driver
namely, Sonu Kumar was apprehended on spot who disclosed
the name of the petitioner as one of his associates.

Learned counsel appearing on behalf of the petitioner
has submitted that petitioner is innocent and has committed no
offence. He has no concern with the alleged recovery or with the
vehicle in question. The name of the petitioner has been



disclosed in this case by the apprehended co-accused before the police, which has got no evidentiary value in the eye of law. Neither the petitioner was arrested on spot nor any incriminating article has been recovered from his conscious possession. He is languishing in judicial custody since 17.10.2022.

Learned APP appearing for the State has opposed the prayer of Bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Special Excise Court (second)-cum-Additional District and Sessions Judge, Vaishali at Hajipur in connection with Hajipur Excise P.S. Case No. 134 of 2022.

(Sunil Kumar Panwar, J)

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