

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34945 of 2024

Arising Out of PS. Case No.-318 Year-2023 Thana- DESARI District- Vaishali

Arvind Rai @ Arvind Kumar Son of Late Gaya Rai @ Gaya Prasad Ray
Resident of village - Trimuhani Bajitpur, P.S.- Desari (Sahdai O.P.), District -
Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shivjee Singh, Adv.

For the Opposite Party/s : Ms. Veena Kumari Jaiswal, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 29-05-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Desari (Sahdai O.P.) P.S. Case No. 318 of 2023, lodged on
18.09.2023 under Section 30(a) of the Bihar Prohibition and
Excise (Amendment) Act, 2018.

3. As per the prosecution case, FIR has been lodged
against five named accused persons including the present
petitioner. Total 403.56 *litres* of illicit liquor has been recovered
which is the subject matter of the present case.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. Counsel
also submits that the criminal antecedent of the petitioner is



clean and he is in custody since 13.04.2024. Counsel further submits that other co-accused persons have been granted bail by this Court as well as by the Co-ordinate Bench of this Court *vide* orders dated 31.01.2024, 09.02.2024 & 27.05.2024 passed in Cr. Misc. Nos. 2723 of 2024, 84689 of 2023 & 31686 of 2024 respectively.

5. Learned APP for the State opposes the prayer for bail of the petitioner.

6. In the present facts and circumstances of this case and the submissions made above, **let the petitioner above named be granted bail, but only after framing of charge, if not framed** on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court No.1-cum-Additional Sessions Judge, Vaishali at Hajipur in connection with Desari (Sahdai O.P.) P.S. Case No. 318 of 2023, subject to the conditions as laid down U/s 437(3) Cr.P.C.

(Dr. Anshuman, J.)

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