

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69565 of 2024**

Arising Out of PS. Case No.-97 Year-2024 Thana- TISIAUTA District- Vaishali

Mahtab Rai Son of Late Ganesh Rai R/O-Village- Chakhaje, PS- Tisiauta,
District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Subhash Kumar, Adv
For the Opposite Party/s : Mr. Manoj Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 25-09-2024 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Tisiauta P.S. Case No. 97 of 2024 dated 13.08.2024 registered for the offences punishable u/s 30(a) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 333 *litres of illicit foreign liquor was recovered from the Truck and the Motorcycle.*

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in



this case. The petitioner has no concern with the alleged recovery. The petitioner is not the owner of the said seized vehicle and the same was not being driven by him at the time of the alleged recovery. The name of the petitioner was disclosed by the apprehended co-accused person. Nothing has been recovered from the conscious possession of the petitioner. The petitioner has nine criminal antecedents as stated in para 3 of the bail petition. The petitioner is in custody since 14.08.2024.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the nature of allegation levelled against the petitioner and the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Vaishali at Hajipur in connection with Tisiauta P.S. Case No. 97 of 2024, with a condition/s:-

(i). The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to be cancelled.



7. The application stands allowed.

(Chandra Prakash Singh, J)

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