

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43457 of 2025

Arising Out of PS. Case No.-271 Year-2017 Thana- MALSALAMI District- Patna

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Kishun Rai @ Krishna Rai @ Kishan Rai S/o- Hajari Rai @ Hazari Rai
Resident of Pathar Ghat PS- Malsalami District-Patna

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Arvind Kumar Pradhan

For the Opposite Party/s : Mr.Damodar Prasad Tiwary

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CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 17-07-2025 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 Spl. Case No. 6912 of 2017 arising out of Malsalami P.S. Case No. 271 of 2017 dated 08.10.2017 registered for the offences punishable u/ss 272 and 273 of the IPC and section 30(a) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 130.400 litres of illicit country made liquor was recovered near the bank of Ganga River in the bush.

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 other co-accused person has already been granted bail by this court *vide* order dated 07.05.2025 passed in Cr. Misc. No. 29667/2025. Nothing has been recovered from the conscious possession of the petitioner. The petitioner has no criminal antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 18.05.2025.

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 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, Patna City in connection with Spl. Case No. 6912 of 2017 arising out of Malsalami P.S. Case No. 271 of 2017.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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