

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65139 of 2024

Arising Out of PS. Case No.-287 Year-2018 Thana- DORIGANJ District- Saran

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Raju Rai @ Raju Kumar Rai S/o Jawahir Rai R/o vill - Santha, P.S. - Awatar
Nagar, Distt. - Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijay Kumar Singh, Advocate

For the Opposite Party/s : Mr. Indu Kumari Srivastava, APP

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**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

2 18-01-2025 Heard learned counsel appearing on behalf
of the parties.

2. The petitioner seeks bail in connection with
Doriganj P.S. Case No.287 of 2018 registered for the offence
under Sections 272 and 273 of the Indian Penal Code and
Section 30(a) and 38 of the Bihar Prohibition and Excise Act.

3. As per FIR, there is recovery of 170 litres of
illicit liquor from bank of river Ganga in Village Pipara Tola.

4. Learned counsel appearing on behalf of the
petitioner has submitted that petitioner has falsely been
implicated in the present case, where, petitioner was not arrested
on spot. It is submitted that recovery of alleged illicit liquor was
not made from conscious physical possession of the petitioner



rather the same was recovered from the bank of river Ganga, which is accessible to general public. It is further submitted that the petitioner has no concern with the alleged recovery of illicit liquor as well as place of recovery. It is also submitted there there is no seizure as regard to fermented solution. It is also submitted that co-accused has already been granted bail by this Court in Cr. Misc. No. 10586 of 2024. It is further submitted that petitioner is in custody since 24.05.2024.

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

6. Considering the facts and circumstances and submissions made on behalf of the petitioner, let the petitioner, above named, is directed to be released on bail in connection with Doriganj P.S. Case No.287 of 2018 on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned 3rd Exclusive Special Excise Judge, Saran at Chapra.

(Ramesh Chand Malviya, J)

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