

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87712 of 2024

Arising Out of PS. Case No.-645 Year-2022 Thana- SAHPUR District- Patna

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Bittu Rai @ Ved Prakash Rai Son of Late Awadhesh Rai @ Awadhesh Prasad
R/O Village - Ganghara (Devchand Bhagat Ka Tola), P.S.- Shahpur, District -
Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mirityunjay Kumar

For the Opposite Party/s : Mr. Rajesh Kumar

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 14-02-2025 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.
2. The petitioner seeks bail in a case registered for the
offences punishable under Sections 30(a), 41 and 32(iii) of the
Bihar Excise Act.
3. Learned counsel for the petitioner submits that
petitioner has antecedent of five cases and allegation is of
recovery of 110 liters of liquor from two different places near
bank of Ganga *diyara*.
4. Learned counsel for the petitioner submits that
petitioner was not apprehended from the spot as such nothing
was recovered from his conscious possession and even the
alleged recovery is from a place which does not belong to the
petitioner and is accessible to public at large and he came to be



implicated at the instance of local people but then the name of the person who disclosed the name of the petitioner is not disclosed in the FIR which casts an aspersion on the case of the prosecution. It is next submitted that once an accused is implicated in a case relating to excise, the police starts implicating mechanically either at the instance of *Chowkidar*, local person, secret information and confessional statement etc. It is further submitted that petitioner is in custody since 04.10.2024 and charge sheet has been submitted.

5. Learned A.P.P. for the State opposes the prayer for regular bail of the petitioner.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Trial Court where the case is pending/successor court in connection with Shahpur P.S. Case No. 645 of 2022.

(Satyavrat Verma, J)

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