

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11239 of 2015

Arising Out of PS.Case No. -162 Year- 2014 Thana -TARAIYA District- SARAN

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Suresh Rai Son of Late Jaleshwar Rai, resident of village - Bhalua Nakata,
P.S. Taraiya, District - Saran

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. N.K. Agrawal, Sr. Adv.
Mr. Vijay Anand

For the Opposite Party/s : Mr. Umanath Mishra, APP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

2 25-05-2015

Heard the parties.

The petitioner seeks bail in a criminal prosecution registered under Section 47(a) of the Bihar Excise Act, 1915 as also under Sections 272 and 273 of the Indian Penal Code.

Though the petitioner is named in the F.I.R., vide Annexure-1, as an accused and there is allegation of recovery of 485 litres of country liquor from his house and from a bush near the house, but taking into consideration the fact that he was not arrested on the spot and he is in judicial custody since 16.01.2015, his prayer for bail is allowed. The petitioner above named is directed to be released on bail on furnishing bail bond of Rs. 25,000/- with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, Chapra in connection with Taraiya P.S. Case No. 162 of 2014, , subject to the conditions that:

- (A) One of the bailors shall be a government servant,
- (B) Other bailor shall be the family member or close relation of the petitioner,
- (C) if the petitioner is found involved in same and



(D)

similar nature of cases in future, then in that case the informant/ prosecution shall be at liberty to file a petition for cancellation of the bail of the petitioner, and if such a petition is filed, the court below would be obliged to dispose of the same in accordance with law after giving opportunity of hearing to all concerned and the petitioner shall make regular pairvi in the court below in the present case either by appearing himself in person or through representation by his lawyer on each and every dates, and if on two consecutive dates petitioner fails to make pairvi, then the court below shall be at liberty to cancel the bail bonds of the petitioner.

(Birendra Prasad Verma, J)

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