

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21679 of 2016

Arising Out of PS.Case No. -6 Year- 2013 Thana -RAGHOPUR District- VAISHALI(HAJIPUR)

1. Santa Rai S/o Chunilal Rai R/o Village- Sukumarpur, PS Raghapur,
District Vaishali. Petitioner

Versus

1. The State of Bihar Opposite Party

Appearance :

For the Petitioner/s : Mr. Dhirendra Kumar Sinha

For the Opposite Party/s : Mr. Anil Pd. Singh (App)

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 01-07-2016

Heard learned counsel for the petitioner and learned

counsel representing the State.

The petitioner seeks bail in connection with Raghapur P.S. Case No. 06 of 2013 registered for the offences punishable under Sections 272, 273 and 308 of the Indian Penal Code and Section 47 a of Excise Act.

Allegedly, during raid, Chandradeo Kumar was arrested from wine Bhatti of the petitioner and 100 liters of illicit liquor and other incriminating articles were recovered whereas the petitioner succeeded in fleeing away.

Submission is of false implication and that there was no Bhatti of the petitioner, without any legal and tangible material the petitioner has been implicated, other co-accused Tetar Rai and Harendra Rai have been allowed pre-arrest bail and the petitioner is suffering in custody since 21.03.2016 having no criminal antecedent.

Learned APP fairly submits that other co-accused have been allowed pre-arrest bail.

In the facts and circumstances stated above, considering that name of the petitioner was taken by co-accused Chandradeo Kumar and he was not arrested at the spot and as such the petitioner above named is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate IVth, Vaishali at Hajipur in connection with Raghapur P.S. Case No. 6 of 2013, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

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