

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16496 of 2017

Arising Out of PS.Case No. -294 Year- 2016 Thana -TARAIYA District- SARAN

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Vijay Rai, son of Shiv Nath Rai, resident of Village- Chakiya, P.S.-
Taraiya, Distt- Saran.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Singh

For the Opposite Party/s : Mr. Sri Ajay Kumar -2, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 06-07-2017

Heard Sri Mukesh Kumar Singh, learned counsel

for the petitioner and Sri Ajay Kumar, learned Addl. Public
Prosecutor.

The sole petitioner, apprehending his arrest in
Taraiya P.S. Case No.294 of 2016 registered for the offence under
Sections 272,273/34 of the Indian Penal Code, has prayed for
grant of bail in the event of his arrest or surrender.

By way of referring to the F.I.R., learned counsel
for the petitioner submits that in a peculiar case though nothing
was recovered from conscious possession of the petitioner, the
police unauthorisedly conducted a raid in the house of one Sumer
Rai and recovered about 7 liters of country-made liquor, has made
accused on the basis of information given by unknown persons



that this petitioner, who is resident of different village, was supplying liquor. Only on this allegation, the petitioner has been made accused.

Considering the allegation made in the F.I.R. as well as the fact that recovery was affected from the house of one Sumer Rai, the petitioner's name has come from the mouth of unknown persons to be supplier, let the petitioner, namely, Vijay Rai ,in the event of his arrest or surrender within six weeks from today , be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Addl. Chief Judicial Magistrate-IX, Saran in connection with Taraiya P.S. Case No.294 of 2016, subject to condition as laid down in Section 438(2) of the Code of Criminal Procedure.

(Rakesh Kumar, J)

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