

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51925 of 2017

Arising Out of PS. Case No.-190 Year-2017 Thana- MOTIPUR District- Muzaffarpur

Dilip Rai , son of Shivrath Rai, resident of Village- Mahmadpur Walmi, P.S.
Motipur, District – Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Sri Yogendra Kumar Singh

For the Opposite Party/s : A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 09-11-2017 Heard Sri Yogendra Kumar Singh, learned counsel for
the petitioner and learned Additional Public Prosecutor.

The sole petitioner , apprehending his arrest in Motipur P.S. Case No. 190 of 2017 registered for the offence under section 272, 273 of the Indian Penal Code , 1860 and Section 30(a), 37(d) of the Bihar Prohibition and Excise Act, 2016 has prayed for grant of bail in the event of his arrest or surrender.

It was submitted by learned counsel for the petitioner that nothing was recovered from conscious possession of the petitioner , rather in the present case recovery of about 1 ½ liters of foreign liquor was shown from a place near ‘Gumti’ of brother of the petitioner, and thereafter, petitioner along with his brother has been made accused. Learned counsel for the petitioner by way of referring to the statement made in



paragraph no. 3 of the petition submits that petitioner is having clean antecedent.

Considering the nature of accusation, the fact that nothing was recovered from conscious possession of the petitioner and clean antecedent of the petitioner, in the event of his arrest or surrender within a period of six weeks from today, let the petitioner Dilip Rai be enlarged on bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Spl. Judge, Excise Act, Muzaffarpur / concerned court in connection with Motipur P.S. Case No. 190 of 2017 subject to the conditions as contemplated under section 438 (2) of the Code of Criminal Procedure, 1973.

(Rakesh Kumar, J)

praful/-

U		T	
---	--	---	--

