

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.28348 of 2017**

Arising Out of PS.Case No. -81 Year- 2017 Thana -SONBERSA District- SITAMARHI

=====

Jagarnath Rai, son of Kishori Rai, resident of Village- Banarjhula, Police  
Station- Sonbarsa, District- Sitamarhi.

.... .... Petitioner

Versus

The State of Bihar

.... .... Opposite Party

=====

**Appearance :**

For the Petitioner : Mr. Ashok Kumar Jha, Advocate  
For the State : APP

=====

**CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN**  
**ORAL ORDER**

2      06-07-2017                      Heard learned counsel for the petitioner and learned  
APP for the State.

2. The petitioner is in custody since 10.04.2017 in  
connection with Sonbarsa P.S. Case No. 81 of 2017, for the offences  
alleged under Sections 272 and 273 of the Indian Penal Code and  
Section 30(A) of the Bihar Prohibition and Excise Act, 2016.

3. It is submitted that the petitioner has been falsely  
implicated in connection with the alleged recovery of 9 litres of  
Nepali Soufi wine. Recovery of the offending goods from the  
possession of the petitioner is denied. The petitioner claims clean  
antecedents.

4. Be that as it may, having regard to the entirety of the  
facts and circumstances of the case as well as the period of custody  
since 10.04.2017 already suffered, let the petitioner above named  
be released on bail on furnishing bail bond of Rs. 10,000/- (ten  
thousand) with two sureties of like amount each to the satisfaction  
of learned Additional District Judge II – cum - Special Judge, Excise  
Act, Sitamarhi in connection with Sonbarsa P.S. Case No. 81 of 2017  
with the following conditions:

(i) That one of the bailors shall be a close relative of the



petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) The petitioner shall cooperate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(iv) That the petitioner shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

**(Vikash Jain, J)**

B.T/Chandran

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

