

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44662 of 2017

Arising Out of PS. Case No.-203 Year-2016 Thana- MEHSHI District- East Champaran

Chandan Ray , Son of Deonarayan Yadav @ Kamleshwar Rai, R/o Village-
Amwa Chak Nagari, P.S.- Mehshi, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Shankar Shrivastava
For the Opposite Party/s : APP

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 21-09-2017 Heard Sri Vijay Shankar Shrivastava, learned counsel for
the petitioner and learned Additional Public Prosecutor.

The sole petitioner , apprehending his arrest in Mehshi
P.S. Case No. 203 of 2016 registered for the offence under
section 272, 273/34 of the Indian Penal Code , 1860 (hereinafter
referred to as “IPC”) and Section 30(a), (d), 9,38, 33, 45 of the
Bihar Prohibition & Excise Act, 2016 (hereinafter referred to as
“Excise Act”) has prayed for grant of bail in the event of his
arrest or surrender.

By way of referring to page no. 14 of the petition i.e.
copy of seizure list, learned counsel for the petitioner submits
that from the bath- room of brother of the petitioner namely,
Basant Ray recovery of about 10 liters of sprit was shown and
petitioner being brother of Basant Ray has been made accused.



He submits that his brother Basant Ray was earlier also involved in case relating to Excise Act . He submits that petitioner was earlier never made accused in any case relating to offence under Excise Act, however, petitioner was accused in a case for the offence under Section 307 and other allied Sections of the IPC and Section 27 of the Arms Act.

Considering the fact that seizure was effected from the premises of brother of the petitioner, in the event of arrest or surrender within a period of six weeks from today, let the petitioner Chandan Ray 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 7th Additional Sessions Judge Motihari, East Champaran / concerned court in connection with Mehshi P.S. Case No. 203 of 2016 subject to the conditions as contemplated under section 438 (2) of the Code of Criminal Procedure, 1973.

(Rakesh Kumar, J)

praful/-

U			
---	--	--	--

