

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.5176 of 2017

Arising Out of PS.Case No. -89 Year- 2016 Thana -MUSRIGHARARI District- SAMASTIPUR

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Ajay Rai @ Ajay Kumar Rai son of Ramswarth Rai, R/o village-
Gangapur, Ward No.1, P.S.- Musrigharari, District- Samastipur
.....Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner/s : Mr. Bijay Bhushan Prasad

For the Opposite Party/s : Mr. Sri Arun Kumar Singh -5

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

2 09-03-2017 Heard learned counsel for the petitioner and learned counsel
representing the State.

Petitioner seeks bail in connection with Musarigharari P.S.
Case No. 89 of 2016 registered for the offences punishable under
Sections 272, 273 of the Indian Penal Code and Section 47 (A) of
Bihar Excise Act.

Allegedly, total 29 bottles each containing 750 ml. foreign
liquor was recovered from beneath the land of cowshed of the
petitioner.

Submission is of false implication and that nothing has been
recovered from conscious possession of the petitioner or from his
house. The place of recovery is government land as is evident
from seizure list itself, copy of seizure list was not given to any of
the family members of the petitioner, the petitioner is in custody
since 22.11.2016 having no criminal antecedent and as such he



deserves sympathetic consideration.

Learned APP submits that the petitioner is named in the FIR.

In the facts and circumstances stated above, considering the period of custody, 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 A.C.J.M. 4th, Samastipur in connection with Musarigharari P.S. Case No. 89 of 2016, 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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