

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33607 of 2018

Arising Out of PS. Case No.-352 Year-2017 Thana- BARGANIA District- Sitamarhi

Ravi Rai , son of Ram Agya Rai, Resident of village- Masha Aalam, P.S.-
Bairganiya, District- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :

Mr. Rajiv Ranjan Singh

For the Opposite Party/s :

Sri Dashrath Mehta, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 26-06-2018 Heard Sri Rajiv Ranjan Singh , learned counsel for
the petitioner and Sri Dashrath Mehta, learned Additional
Public Prosecutor.

The sole petitioner, apprehending his arrest in
connection with Bairganiya P.S. Case No. 352 of 2017 ,
registered for the offence under Section 272 & 273 of the
Indian Penal Code, 1860 and Section 30(A) of the Bihar
Prohibition and Excise Act, 2016, has prayed for grant of bail
in the event of his arrest or surrender.

At the very outset , learned counsel for the petitioner
has drawn my attention to the statement made in paragraph no. 3
of the petition to show that petitioner is having clean
antecedent. It has also been argued that petitioner has falsely
been made accused as if he was identified by one of the
Chaukidars while fleeing away. He submits that in this case as



per F.I.R. Police after getting secret information reached to the place of occurrence where Police noticed that accused persons bringing Nepali wine were loading on an Auto and after seeing Police all the accused persons fled away, and thereafter, petitioner along with other five persons were arrayed as accused as if he was one of the members who fled away . He submits that none of the accused persons were apprehended and falsely petitioner has been made accused in the present case.

Be that as it may , considering clean antecedent of the petitioner as well as the fact that nothing was recovered from conscious possession of the petitioner , in the event of his arrest or surrender within a period of six weeks from today, let the petitioner Ravi 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 A.D.J. IInd Sitamarhi / concerned court in connection with Bairganiya P.S. Case No. 352 of 2017 subject to the conditions as contemplated under Section 438 (2) of the Code of Criminal Procedure, 1973.

(Rakesh Kumar, J)

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