

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33263 of 2018

Arising Out of PS. Case No.-346 Year-2017 Thana- PATNA CITY CHOWK District- Patna

Ashok Ray, son of Chanarik Ray, resident of Mohalla- Kila Ghat, P.S.-
Chowk, District- Patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Raj Shekhar, Adv.

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

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 28-06-2018 Heard Sri Raj Shekhar, learned counsel for the
petitioner and learned Addl. Public Prosecutor.

The sole petitioner, apprehending his arrest in Chowk
P.S. Case No.346 of 2017 registered for the offence under
Sections 272/ 273/34 of the Indian Penal Code and Sections
30(a)(d)/33/34/36 of the Bihar Prohibition and Excise Act, 2016,
has prayed for grant of bail, in the event of his arrest or
surrender.

By way of referring to the F.I.R. ,learned counsel for
the petitioner submits that in this case, from a *Khatal* of
another person , recovery of liquor was shown and the petitioner
has falsely been implicated in the present case on the disclosure
made by his own father.

Learned Addl. Public Prosecutor has opposed the



prayer for grant of anticipatory bail on the ground that the petitioner is having criminal antecedent, however on going through the statement made in paragraph-3 of the petition, it appears that only one day prior to the institution of the present case, one another case was also instituted.

Be that as it may, considering the nature of accusation as well as the fact that nothing was recovered from his conscious possession, in the event of his arrest or surrender within a period of six weeks from today, let the petitioner, namely, Ashok Ray be enlarged on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Patna in connection with Chowk P.S. Case No.346 of 2017, corresponding to Special Case No.7656 of 2017, subject to conditions as laid down in Section 438(2) of the Code of Criminal Procedure.

(Rakesh Kumar, J)

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