

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 33347 of 2018

Arising Out of PS. Case No.-345 Year-2017 Thana- Chowk District- Patna

Ashok Ray, Son of Chanarik Ray, Resident of Mohalla Kila Ghat, P.S.-
Chowk, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raj Shekhar
For the Opposite Party/s : Smt. Rita Verma

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

3. 25-07-2018 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. 345 of 2017 corresponding to Special Case No.
7763 of 2017 registered for offence under Sections 272/273 of
the Indian Penal Code and Sections 30(a)(d)/38(a)/44 of Bihar
Prohibition and Excise Act, 2016, has prayed for grant of bail in
the event of his arrest or surrender.

Learned counsel for the petitioner submits that
nothing was recovered from conscious possession of the
petitioner. In the present case, recovery was shown from under-
constructed building, not belonging to the petitioner and
petitioner has falsely been implicated. He further submits that
seizure list was prepared in contravention of Section 100 of the



Code of Criminal Procedure, 1973 (for short 'Cr.P.C.'). Learned counsel for the petitioner further submits that petitioner was made accused in the present case and immediately thereafter, he was made accused in another case i.e. Chowk P.S. Case No. 346 of 2017, however; this Court, vide Cr. Misc. No. 33263 of 2018, has granted anticipatory bail to the petitioner.

In view of facts and circumstances, in the event of 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. 345 of 2017 corresponding to Special Case No. 7763 of 2017, subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Rakesh Kumar, J.)

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