

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7293 of 2019

Arising Out of PS. Case No.-179 Year-2018 Thana- MADHUBAN District- East Champaran

WAKIL RAY aged about 43 years (Male) s/o Yogendra Ray Village - Pakaria,
P.S.- Madhuban, Distt.- East Champaran, At Present R/o Village - Jogauliya
Tola Palat, P.S.- Madhuban, Distt.- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Karandeep Kumar
For the Opposite Party/s : Mr.Arun Kumar

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 19-02-2019 Heard learned counsel for the parties.

Petitioner seeks bail in **Madhuban P.S. Case No. 179 of 2018** registered for the offence punishable under Sections 272 and 273 of the Indian Penal Code and under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

Allegation is of recovery of 207 litre of foreign liquor from the house of Baidnath Mahato, who disclosed the name of petitioner along with FIR named accused that they are involved in illegal trade of illicit liquor.

It has been submitted on behalf of the petitioner that he is innocent and has been falsely implicated in this case. It has



been submitted on behalf of the petitioner that the name of the petitioner has surfaced in this case on the basis of confessional statement of co-accused Baidhnath Mahto. Petitioner is in custody since 24.12.2018.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned **Special Judge, Excise, East Champaran at Motihari**, in connection with **Madhuban P.S. Case No. 179 of 2018**, with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the court below.

(3) If the petitioner tampers with the



evidence or the witnesses of the case, in that case,
prosecution will be at liberty to move for cancellation
of bail of the petitioner.

(S. Kumar, J)

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