

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8744 of 2019

Arising Out of P.S. Case No.-10 Year-2019 Thana- DURAULI District- Siwan

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GOLU RAI @ SHUBHAM RAI, aged about 23 years (M) Son of Late Byash
Narain Rai R/o Village- Belaon, P.S.- Darauli, District- Siwan.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Chandra Kant, Advocate

For the Opposite Party/s : Mr.Meena Singh, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 14-02-2019 Heard the learned counsel for the petitioner and

learned counsel appearing on behalf of the State.

Petitioner seeks bail in connection with Darauli
P.S.Case No.10 of 2019 for the offence alleged under Sections
272, 273 and 308 of the Indian Penal Code and Sections 30(a),
38(1) and 41(1) of the Bihar Excise Act.

The prosecution case as lodged by the police
personnel is that on information that the petitioner has
concealed illicit liquor in his poultry farm, the police conducted
a raid and from the poultry farm, 82 litres 66 ml. of Indian made
foreign liquor was recovered. Accordingly, a seizure list was
prepared.

It has been submitted by the learned counsel for the
petitioner that he is innocent, bears no criminal antecedent, is a



young boy who is started his business and has sold some birds to the police station for which he had not received any money and because of non-payment of money, the petitioner has been falsely implicated at the highhandedness of the police. He further submits that nothing has been recovered from the conscious possession of the petitioner. The petitioner further undertakes not to induce witnesses or tamper with the prosecution evidence.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and the nature of allegations, let the petitioner, above named be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each in connection with Darauli P.S.Case No.10 of 2019 to the satisfaction of learned Additional District Judge-II, Siwan, subject to the following conditions:-

(i) One of the bailors would be a close relative of the petitioner having sufficient immovable property, who will file an affidavit stating his relationship with the petitioner.

(ii) If the petitioner indulges in an offence of similar nature in future, the prosecution will be at liberty to move the



learned Court below for cancellation of his bail bonds.

(Nilu Agrawal, J)

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