

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9843 of 2019

Arising Out of PS. Case No.-154 Year-2018 Thana- JANTA BAZAR District- Saran

ARJUN RAI Son of Rajgrih Rai R/o village- Bankat, P.S- Bhagwanpur Hat,
District- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Singh
For the Opposite Party/s : Mr.Md. Fahimuddin

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 20-02-2019 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner is languishing in judicial custody since
05.01.2019 in connection with Janta Bazar P.S. Case No. 154 of
2018 for offences punishable under Section 30(a) of the Bihar
Prohibition and Excise Act, 2016.

The prosecution case, as lodged by the police
personnel, is that on the basis of secret information the school
campus was raided and from the closed school in a room 1035
litres of Indian made foreign liquor was recovered. Petitioner
was seen fleeing away from the place of occurrence and his
name was dropped by the spy. Accordingly, a seizure-list was
prepared.

It has been submitted by the learned counsel for the



petitioner that he is innocent and has been falsely implicated in the aforesaid case. He further submits that nothing has been recovered from the conscious possession of the petitioner and he has been made accused only on suspicion.

However, learned APP for the State opposes the prayer for bail stating therein that petitioner is a habitual offender and two more cases under the Excise Act, are pending against him.

Considering the facts and circumstances and the materials on record, let petitioner, above named, be enlarged on bail on completion of six months in custody on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned 6th Additional Sessions Judge cum Special Judge (Excise), Saran, in connection with Janta Bazar P.S. Case No. 154 of 2018, subject to the following conditions :

1. 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.
2. 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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