

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14205 of 2019

Arising Out of PS. Case No.-375 Year-2018 Thana- BASANTPUR District- Siwan

PRAMOD KUMAR RAY Son of Rangi Ray, resident of village-Dabchhum,
P.S.-Basantpur, District-Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Tiwary
For the Opposite Party/s : Mr.Rajendra Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 07-03-2019 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State.

The petitioner is in custody in connection with
Basantpur, P.S. Case No. 375 of 2018, registered for the offence
punishable under Sections 272, 273, 308 and 34 of the I.P.C and
Section 30 (A), 41 (i) of the Bihar Prohibition and Excise Act,
2016.

Learned counsel for the petitioner submits that in the
instant case total 1800 liters spirit was seized. Learned counsel
for the petitioner submits that illicit spirit use for manufacturing
of illicit liquor was not seized from the house of the petitioner
but from the house of Bipul Kumar Rai and Rama Shankar Rai.

On the other hand, learned A.P.P. opposes the bail
prayer of the petitioner and submits that petitioner has criminal



antecedent and he was made accused in similar nature of case.

Considering the fact that nothing was recovered from the possession of the petitioner and spirit was seized from the house of Biput Kumar Rai and Rama Shankar Rai, the Court is inclined to grant bail to the petitioner, but at the same time while granting the bail, the Court is conscious about the fact that earlier petitioner was made accused in similar matter of case, the Court is constrained to impose stringent condition. Let, the petitioner be released on bail on furnishing bail bond of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the Learned A.D.J.-II-cum-Special Judge, Excise Act, Siwan in connection with Basantpur P.S. Case No. 375 of 2018, subject to the condition that his both bailors should be elected representative of the local body.

(Anil Kumar Upadhyay, J)

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