

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20755 of 2019

Arising Out of PS. Case No.-306 Year-2018 Thana- KHAJEKALA District- Patna

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AJJU @ DHANANJAY RAY @ BOSS, aged about 40 years, (M) S/o Mishri Roy Resident of Mohalla- Rai Jai Kishore Road, near Gurhatta School, P.S.- Khajekalan, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Arvind Kumar Mouar

For the Opposite Party/s : Mr.Pradeep Narain Kumar

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 04-04-2019 Heard learned counsel for the parties.

Petitioner, who is in custody, seeks bail registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act.

Allegation is recovery of 100 litre illicit Mahua liquor near the house of Satish Singh.

It has been submitted on behalf of the petitioner that he is innocent and has committed no offence. He has been falsely implicated in this case only on the basis of statement made by some villager that petitioner is involved in trade of illicit liquor. Nothing has been recovered from his possession. He was not arrested from the spot. He is in custody since



07.02.2019.

Considering the fact that although petitioner is accused in case of similar nature but since there is no recovery from the possession of petitioner and he was not apprehended on the spot but has been made accused only on the basis of statement of villagers, 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 court below where the case is pending in connection with **Special Case No. 8081 of 2018 arising out of Khajekalan P.S. Case No. 306 of 2018**, with following condition:-

(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 absence on two consecutive dates without sufficient reason, his 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.

(4) If the petitioner is found involved in similar nature of offence, after his release on bail, the trial court shall take steps to cancel his bail bond.

(S. Kumar, J)

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