

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36275 of 2019**

Arising Out of PS. Case No.-18 Year-2019 Thana- DANAPUR District-
Patna

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DARA RAY, aged about 55 years, male, Son of Late Nawab Ray Resident of
Saguna Nadipar, P.S.- Danapur, Distt - Patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Ravi Kant Kumar, Advocate.

For the Opposite Party: Mr. Parmanand Kumar, Advocate.

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 11-06-2019 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody since 15.03.2019 in connection with Special Case No. 225 of 2019 arising out of Danapur P.S. Case No. 18 of 2019 for the offences alleged under Sections 30(a) of Bihar Excise and Prohibition (Amendment) Act, 2018 and Section 25(1-b)(a)/26/35 of the Arms Act.

3. It is submitted that the petitioner has been falsely implicated and in any event it is evident from the F.I.R. itself that though the recovery has been made from the house of the petitioner, the petitioner was not residing in the said house rather his brother Bindeshwar Ray @ Bhartu Ray was residing therein and also realizing rent from the tenant who was also living in the house. The petitioner claims clean antecedents.



4. Be that as it may, let the petitioner above named be released on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of like amount each to the satisfaction of learned Special Judge Excise, Patna, in connection with Special Case No. 225 of 2019 arising out of Danapur P.S. Case No. 18 of 2019, on the following conditions -

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioner shall cooperate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(iv) That the petitioner shall remain physically present in Court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

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