

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47692 of 2019

Arising Out of PS. Case No.-138 Year-2019 Thana- MOTIPUR District- Muzaffarpur

RAMNATH RAI, Son of Late Devi Lal Rai, Resident of Village -
Bhawanidih, P.S.- Motipur, District - Muzaffarpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raju Kumar

For the Opposite Party/s : Mrs.Indu Kumari Srivastava

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2/ 07-08-2019 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in **Motipur P.S. Case No.138 of 2019** instituted for the offence under Section 272, 273 Indian Penal Code and Section(s) 30(a), 38(i) and 41(i) of Bihar Prohibition and Excise Act, 2018.

It is alleged that total 600 litres spirit was recovered from the hut of Bijli Rai. Petitioner is alleged to be identified by the people present there. He managed to run away.

Counsel for the petitioner submits that Petitioner is in custody since 18.06.2019.

Counsel for the petitioner further submits that co-accused, Shiv Kumar Rai, has already been granted regular bail by co-ordinate Bench of this Court by order dated 23.05.2019



passed in Cr. Misc. No.32677 of 2019.

In the facts and circumstances of the case, prayer of the petitioner for grant of bail is allowed. Let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the **Special Judge, Excise Act, Muzaffarpur**, in connection with **Motipur P.S. Case No.138 of 2019**, subject to the condition that both the bailors shall be close relative of the petitioner.

It appears from para 3 that two more case under the Excise Act is pending against the petitioner. The petitioner will file an Affidavit at the time of his furnishing bail bond that he will not indulge in such activities in future. In the event, he is found indulged in such activity in future, his bail bond in the instant case shall liable to be cancelled.

(Sanjay Priya, J)

J. Alam/-

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