

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.78206 of 2018**

Arising Out of PS. Case No.-376 Year-2017 Thana- PATNA CITY CHOWK District- Patna

Arun Rai, Son of Upendra Rai, Resident of Ghagha Gali P.S. Chowk, District-  
Patna

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Raj Bansh Dubey, Advocate  
For the Opposite Party/s : Smt. Sahin Begam (APP)

**CORAM: HONOURABLE MR. JUSTICE S. KUMAR**  
**ORAL ORDER**

2      09-01-2019                      Learned counsel for the petitioner is permitted to correct para 6 of petition and delete the ward 'not' of the said para during course of the day.

Heard learned counsel for petitioner and learned counsel for the State.

Petitioner, who is in custody, seeks bail in connection with Chowk P.S. Case No. 376 of 2017 registered for the offences punishable under Sections 272, 273/34 of the Indian Penal Code and Section 30(A) of Bihar Prohibition and Excise Act, 2016.

Allegation is recovery of 38 liters of country made mahua wine from the possession of accused.

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 on the basis of confession made by apprehended accused Ranjit Kumar. He was not apprehended at the spot. Petitioner is in custody since 29.09.2018.

Considering the aforesaid fact and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Patna, in connection with Special Case No. 8267 of 2017 arising out of Chowk P.S. Case No. 376 of 2017, subject to conditions:

- (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 represented on each and every date fixed by the court.
- (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 offences, after his release on bail the trial court shall take steps to cancel his bail bonds.

**(S. Kumar, J)**

Rajiv/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

