

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52322 of 2019

Arising Out of PS. Case No.-75 Year-2019 Thana- GADHPURA District- Begusarai

BIBHUTI BHUSHAN RAY @ CHANDRA BHUSHAN RAY S/o Late Kamli
Ray Resident of Village- Khumharson, P.S.- Garhpura, District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Binod Kumar

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

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 22-08-2019 Petitioner seeks bail in anticipation of his arrest in connection with Garhpura P.S. Case No. 75 of 2019 registered for the offence punishable under Section 30(a) of Bihar Prohibition and Excise Act.

Allegation is of recovery of 40.680 litres of liquor from the outside of boundary wall of the house of one Santosh Kumar Rai.

Submission of learned counsel for the petitioner is that he has falsely been implicated in this case as FIR itself shows that nothing was found from the inside the house and recovery is made from outside boundary wall of the house and he has no criminal antecedent and he is aged about 70 years and petitioner happens to be father of said Santosh Kumar Rai and he is living separately.



Heard learned APP, who has opposed the prayer for anticipatory bail of the petitioner.

In view of above facts and circumstances and also considering the age of the petitioner, let petitioner, in the event of arrest or surrender, be released on bail on furnishing bail bond of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of the Additional Sessions Judge-II-cum-Special Judge, Excise Act, Begusarai, in connection with Garhpura P.S. Case No. 75 of 2019, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. and further condition is that one of the bailors of the petitioner shall be a local person having sufficient immoveable property within the jurisdiction of the court concerned and further condition is that if he is involved in such type of cases in future, prosecution is at liberty to move for cancellation of his bail bonds.

(Vinod Kumar Sinha, J)

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