IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70322 of 2019

Arising Out of PS. Case No.-356 Year-2019 Thana- BARHARA District- Bhojpur

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ANIL RAY Son of Brij Nandan Rai @ Brijnandan Ray Resident of Village-Matukpur,P.s.- Barahara, District- Bhojpur.

... ... Petitioner/s

Versus

The State of Bihar.

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr.Iqbal Asif Niazi
For the Opposite Party/s : Mr.Satyadeo Singh Yadav

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 04-12-2019 Heard learned counsel for the petitioner and learned counsel for the State.

Petitioner, who is in custody, seeks bail in connection with Excise Case No. 2078 of 2019 arising out of Barahara P.S. Case No. 356 of 2019 registered for the offence punishable under Section 30(a), (d) of Bihar Prohibition and Excise Act.

Allegation is recovery of 30 litres of country made liquor from the room of co-accused Sonu Rai.

It has been submitted on behalf of petitioner that he is innocent and has been falsely implicated in this case. His name has surfaced in this case on the statement made by the Chaukidar. It has been further submitted that neither anything was recovered from the possession of petitioner nor he was apprehended from the spot. Petitioner is in custody since 13.10.2019.

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Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned court below, in connection with Excise Case No. 2078 of 2019 arising out of Barahara P.S. Case No. 356 of 2019 subject to the conditions that:-

(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 bond.

(S. Kumar, J)

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