

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72004 of 2019

Arising Out of PS. Case No.-447 Year-2019 Thana- PATNA GRP CASE District- Patna

Md. Raiyajuddin Son of Md. Immamuddin Resident of - Lodi Katra, P.S.-
Khajekalan, Distt - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amresh Kumar Sinha

For the Opposite Party/s : Mr.Rita Verma

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

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

The petitioner in the present case is seeking regular bail in connection with Spl. Case No.7161 of 2019 arising out of Rail P.S. Patna Jn. Case No.447 of 2019 registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. Learned counsel submits that there is no recovery from the conscious possession of this petitioner.

Learned APP has opposed the prayer for bail.

Considering the facts and circumstances of the case that there is a recovery of 65 liters of illicit liquor from the petitioner, but he has no criminal antecedent and has remained in custody



since 11.08.2019, investigation in connection with this case is complete and there is no apprehension that he would not cooperate in course of trial, let the petitioner above named be released on bail on furnishing bail bond of Rs. 15,000/- (fifteen thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Patna in connection with Spl. Case No.7161 of 2019 arising out of Rail P.S. Patna Jn. Case No.447 of 2019, subject to the condition as laid down under Section 437 (3) Cr.P.C. as under:

(a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter,

(b) that such person shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected, and

(c) that such person shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any Police officer or tamper with the evidence.

(Rajeev Ranjan Prasad, J)

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