

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73747 of 2019

Arising Out of PS. Case No.-310 Year-2018 Thana- BOCHAHAN District- Muzaffarpur

SUBODH RAI, aged about 35 years, Male, Son of Shivji Rai @ Bindeshwar Rai Resident of Village-Asiya, P.S.-Gaighat, District-Muzaffarpur.

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Alok Kumar Alok, Advocate

For the Opposite Party/s : Ms.Sangeeta Sharma, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 25-11-2019 Heard learned counsel for the petitioner and
learned Additional Public Prosecutor for the State.

The petitioner is seeking anticipatory bail in connection with Bochahan P.S. Case No. 310 of 2018 registered under Sections 272, 273, 120(B), of the Indian Penal Code and 30(a)/38/41/44/45/47/48 of the Bihar Prohibition and Excise Act 2016.

Learned counsel for the petitioner submits that petitioner has been falsely implicated in this case due to dirty village politics. Learned counsel submits that nothing incriminating has been recovered from the house of this petitioner and that he has no criminal antecedent.

Learned A.P.P. for the State has opposed the



prayer for anticipatory bail of the petitioner.

Considering the facts and circumstances of the case wherein it is the submission of the petitioner that nothing incriminating has been recovered from the house of this petitioner and that he has no criminal antecedent as also that he has been made accused only on the basis of suspicion and confessional statement of co-accused, and save and except there is no other material to connect him in the present, let the above-named petitioner, in the event of his arrest/surrender before the court below within a period of four weeks, be enlarged on bail furnishing bail bond of Rs. 15,000/- (Rupees Fifteen Thousand only) with two sureties of the like amount each to the satisfaction of learned Special Judge – Excise Act, Muzaffarpur, in connection with Bochahan P.S. Case No. 310 of 2018, subject to condition as laid down under Section 438(2) of the Cr.P.C. i.e.

(i) a condition that the person shall make himself available for interrogation by a police officer as and when required;

(ii) a condition that the 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;

(iii) a condition that the person shall not leave India without the previous permission of the Court.

(Rajeev Ranjan Prasad, J)

Rajeev/-

U		T	
---	--	---	--

