

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76105 of 2019

Arising Out of PS. Case No.-127 Year-2018 Thana- HATHAURI District- Muzaffarpur

RAJU RAY Son of Late Binda Ray @ Vinda Ray Resident of Village -
Jagarnathpur, P.S.- Hathauri, Distt - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Devendra Kumar
For the Opposite Party/s : Mr.Md. Shakir Ahmad

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

3 26-11-2019 Heard learned counsel for the parties.

Petitioner who is in custody seeks bail in a case registered for the offence punishable under Sections 272 and 273 of the Indian Penal Code and Section 30(A) of the Bihar Prohibition and Excise Act, 2016.

Informant who is police officer in his written report has stated that he received confidential information that three suspicious persons were sitting in a Tempo and when the Informant along with other police party reached said place the persons sitting on the tempo started fleeing away out of whom one person was apprehended who disclosed his name as Keshav Kumar Mishra and the person who fled away as Raju Rai, and on search of tempo 8.640 litres of illicit liquor was recovered.



It has been submitted on behalf of the petitioner that the name of the petitioner has surfaced in this case on the basis of confessional statement of co-accused Keshav Kumar Mishra. Petitioner was not apprehended at the spot and nothing has been recovered from the possession of the petitioner.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned court below where the case is pending, in connection with **Hathauri P.S. Case No. 127 of 2018**, with following 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 properly 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 offence, after his release on bail, the trial court shall take steps to cancel his bail bond.

(S. Kumar, J)

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