

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 2255 of 2020

Arising Out of PS. Case No.-211 Year-2019 Thana- BHARGAMA District- Araria

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BHOGENDRA ROY @ BHOGENDRA KUMAR ROY S/o Late Surendra
Roy R/o village- Thakpura, P.S.- Raniganj, District- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Pranav Kumar Jha

For the Opposite Party/s : Mr.Mukesh Kumar Singh

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CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

2 16-01-2020 Heard learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks bail in Bhargama Police Station
(for brevity, PS) Case No 211 of 2019 instituted for the offence
punishable under Section (s) 272, 273/34 of Indian Penal Code
and Section 30 (a) of Bihar Prohibition and Excise Act, 2016.

343.125 liters of Indian made foreign liquor is said
to have been recovered from the Bamboo Orchard near the
house of co-accused Suman Kumr Jha. It is submitted by
petitioner's counsel that there is nothing to connect the
petitioner with the alleged occurrence and his implication is
false and based on extraneous considerations. His name does
not figure in the First Information Report. Learned counsel for
the petitioner further submits that no recovery whatsoever has



been made from the petitioner's possession and he is on bail in Araria RSPS Case No 717 of 2019. In the instant case, he is in custody since 28.11.2019.

Learned APP for the State opposed the prayer.

Considering the aforesaid, let the petitioner, above named, be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Additional Sessions Judge II -cum- Special Judge, Araria in connection with Special Case No 1124 of 2019 arising out of Bhargama PS Case No 211 of 2019 subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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