

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19911 of 2020

Arising Out of PS. Case No.-286 Year-2019 Thana- MUSAHARI District- Muzaffarpur

BINAY RAI @ VINAY RAY Son of Hari Nandan Ray Resident of Village -
Madhopur Susta, P.S.- Maniyari, Distt.- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Alok Kumar Alok

For the Opposite Party/s : Mr. Nityanand Tiwary

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 26-06-2020 Due to COVID-19 Pandemic, the matter is being taken up
by way of Virtual Court proceeding.

The matter has been listed under the heading ‘For Orders’
under the orders of Hon’ble the Chief Justice.

Counsel for the petitioner is directed to remove the
defects, as point out by the office, within a period of four weeks from
the date of lifting of the lockdown in the State of Bihar.

Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner seeks bail in a case instituted for the
offences under Sections 279/304(A) of the Indian Penal Code and
37(C) of the Bihar Prohibition and Excise Act, 2016.

Prosecution case, in short, is that in a drunken state, the
accused persons drove negligently and dashed with the cycle of the
nephew of the informant due to which he lost his life.



It has been submitted on behalf of the petitioner that the petitioner is in custody since 8.12.2019 and has got no criminal antecedent. Charge-sheet/prosecution report has been submitted in this case. It is alleged that the driver, in a drunken state, of the vehicle, committed an accident. The police, after investigation, submitted charge-sheet for an offence under Section 37(C) of the Bihar Prohibition and Excise Act. The petitioner is also alleged to be in a drunken state. He is the cleaner of the truck in question. There is no recovery of liquor from the possession of the petitioner.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R./complaint case.

Considering the facts and circumstances of the case and also the lockdown, the petitioner above named, is directed to be released on bail on his personal bond to the satisfaction of learned Special Judge, Excise Act, Muzaffarpur in connection with Mushahari P.S. Case No. 286/19.

Once the normalcy is restored, the petitioner shall furnish bail bonds of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each within a period of four weeks to the satisfaction of the Court concerned in connection with the aforesaid case.

(Sudhir Singh, J)

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