

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27410 of 2020

Arising Out of PS. Case No.-30 Year-2019 Thana- MOTIPUR District- Muzaffarpur

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DEVANAND RAI S/o Late Bhuneshwar Ray @ Bhuvaneshwar Ray Resident
of Village- Harpur Juneda, P.S.-Motipur, District-Muzaffarpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ratneshwar Prasad
For the Opposite Party/s : Mr. Abhay Kumar Roy

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 20-10-2020 As of now, the Courts have not resumed normal physical hearing. The matter has been listed today for consideration through Video Conferencing.

Learned counsel are appearing and making submissions from their residence. The Court master and Secretary are also part of this virtual Court proceedings with the aid of audio visual technology.

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

Learned counsel for the petitioner is expected to honor his undertaking given in the instant case for depositing the requisite court fee and to remove the defects as pointed out by office when called upon.

The petitioner seeks bail in Motipur P.S. Case no. 30 of



2019 instituted for the offence under Sections 30(a), 38(1), (2), 41(1) of the Bihar Prohibition and Excise Act, 2016.

Total 484 liters of foreign liquor is said to have been recovered from the community building as well as the house of co-accused, namely, Sunil Sahni.

It is submitted that the petitioner has been implicated in the instant case only on secret information, though even as per prosecution case, there is no recovery of any alleged illicit liquor from the petitioner's house or person. Other than Motipur P.S. case no. 1033 of 2018, the petitioner is on bail in the other two cases mentioned in para-3 of the bail petition.

Petitioner is in custody since 30.05.2020

The learned APP has opposed the prayer for bail.

Considering the aforesaid, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/-(Ten thousand) with two sureties of the like amount each to the satisfaction of the Spl. Judge, Excise Act, Muzaffarpur, in connection with Motipur P.S. Case no. 30 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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