

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27678 of 2020

Arising Out of PS. Case No.-92 Year-2019 Thana- BARGAINIA District- Sitamarhi

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RAMSWARATH RAI @ RAM SWART RAY S/o Late Indrashan Rai
Resident of Village- Masaha Alam, Police Station- Bairstania, District-
Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Additional Public Prosecutor

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 20-10-2020 Heard learned counsel for the petitioner and the

State through Video Conferencing.

Petitioner seeks bail in a case registered for the
offence punishable under Sections 147, 148, 149, 341, 323, 504
and 353 of the Indian Penal Code and Section 30 (a) and 34 of
the Bihar Prohibition and Excise Act, 2016.

As per the prosecution case, two persons were
apprehended who were on motorcycle and 36 liters of Nepali
liquor was recovered and the motorcycle was seized. When the
police party were on their way to the Police Station along with
the apprehended persons and recovered articles, some co-



accused persons cornered the police party and abused and assaulted the them. Then the informant contacted the B.O.P. and when the other constables arrived, all the accused persons had fled away including the petitioner.

It is submitted by learned counsel for the petitioner that one of the co-accused, namely, Lalan Rai, has been granted bail vide order dated 27.11.2019 passed in Cr. Misc. No. 76773 of 2019. Charge-sheet has already been submitted. Petitioner is in custody since 07.04.2020.

Considering the facts of the case, 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 learned Additional District Judge-2nd-cum-Special Judge, Excise Act, Sitamarhi, District-Sitamarhi in Bairstania Police Station Case No. 92 of 2019 on the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the



witnesses, in that case the prosecution will be at liberty to move
for cancellation of bail.

(Prabhat Kumar Singh, J)

Ankit/-

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