

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71220 of 2019

Arising Out of PS. Case No.-267 Year-2018 Thana- TARAIYA District- Saran

PINTU RAI Son of Binod Rai Resident of Village - Pahchbindia, P.S.-
Taraiyan, District- Saran (Chapra)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ram Sandesh Roy

For the Opposite Party/s : Mr.Pradeep Narain Kumar

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 14-01-2020 Heard learned counsel for the petitioner and
learned Additional Public Prosecutor for the State.

The petitioner in the present case is seeking regular bail in connection with Taraiyan P.S. Case No. 267/2018 registered under Sections 188, 272, 273, 34 of the Indian Penal Code and 30/38/41 of Bihar Prohibition & Excise Act, 2016.

Learned counsel for the petitioner submits that the petitioner has been brought in this case on mere suspicion as there is no recovery of illicit liquor from his possession and further that the petitioner has remain in custody since 06.08.2019.

Learned A.P.P. for the State has opposed the



prayer for bail.

Considering the facts and circumstances of the case wherein the allegation against the petitioner and twelve other co-accused are that they had jointly obtained the delivery of illicit liquor and when they were trying to conceal the same in sugarcane field the police party reached there but taking advantage of the darkness the accused persons fled away, the truck with illicit liquor was seized and the submission of learned counsel for the petitioner that the petitioner has been brought in this case on mere suspicion as there is no recovery of illicit liquor from his possession and further that the petitioner has remained in custody since 06.08.2019, in view of there being two cases of similar nature against the petitioner in which he is on bail, on completion of six months period in custody, let the above-named petitioner be released on bail furnishing bail bond of Rs. 15,000/- (Rupees Fifteen Thousand only) with two sureties of the like amount each to the satisfaction of learned A.D.J. - XI – Cum – Special Judge, Excise, Saran, in connection with Taraiyan P.S. Case No. 267/2018, subject to the condition as laid down under Section 437(3)



Cr.P.C. as under:

(a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter,

(b) that such person shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected, and

(c) that such person shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any Police Officer or tamper with the evidence.

Further condition that in case the petitioner is found involved in another case of similar nature, the Investigating Officer of the case shall take steps for cancellation of bail bond of the petitioner in the present case as well.

(Rajeev Ranjan Prasad, J)

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