

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18290 of 2021

Arising Out of PS. Case No.-268 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.
District- Muzaffarpur

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Lal Bahadur Ray, Son of Late Jaylal Ray, R/O Village- Ramauli, P.S.- Gaighat
(Benibad O.P.), Dist.- Muzaffarpur

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ratneshwar Prasad, Advocate
For the Opposite Party/s : Ms. Pushpa Sinha, APP

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 29-10-2021 Today being Friday, matters are being taken up
through virtual mode as per current procedure for hearing.

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

The petitioner seeks bail in connection with
Muzaffarpur Excise Case No.268 of 2020 (P.R. No.10/2020)
registered for the offence punishable under Section 30(a) of the
Bihar Prohibition and Excise Act.

96 litres illicit liquor has been recovered from the
petitioner's house.

The counsel for the petitioner submits that there is
no recovery from the conscious possession of the petitioner. He
has no concern with the alleged recovery and having no



antecedents, he has been implicated in this case falsely. Petitioner is also stated to be a man of 62 years of age and is in custody since 08.12.2020.

Learned APP for the State has opposed the prayer for bail.

Considering the rival submissions as also the facts and circumstances of the case, this Court for the purposes of grant of bail is inclined to accept the submissions advanced by the petitioner's counsel. Prayer for bail of the petitioner is allowed.

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 learned Special Judge, Excise Act, Muzaffarpur, in connection with Muzaffarpur Excise Case No.268 of 2020 (P.R. No.10/2020), 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.

This Court would expect that the petitioner's counsel would honour his undertaking in the instant proceedings regarding supply of the requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

(Madhuresh Prasad, J)

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