

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18282 of 2021

Arising Out of PS. Case No.-765 Year-2020 Thana- DANAPUR District- Patna

Triloki Rai, S/O Jitendra Rai @ Sohan Rai, R/O Chhitnawan, P.S-Maner,
District-Patna.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ghanshyam Tiwary, Advocate

For the Opposite Party/s : Mr.Suman Kumari Singh, APP

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 Special
Case No.7816 of 2020 arising out of Danapur P.S. Case No.765
of 2020 registered for the offence punishable under Section
30(a) of the Bihar Prohibition and Excise (Amendment) Act,
2018.

Since 29.12.2020, the petitioner is stated to be in
custody. It is alleged that he was fleeing away from the vehicle
from which there is recovery of 250 litres country made liquor.

Counsel for the petitioner submits that it is a case of
false implication. The petitioner was passing by the area and he



has become a victim of circumstances, He has no criminal antecedents.

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, Patna, in connection with Special Case No.7816 of 2020 arising out of Danapur P.S. Case No.765 of 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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