

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20435 of 2021

Arising Out of PS. Case No.-154 Year-2020 Thana- SARAI RANJAN District- Samastipur

Mithu Ray @ Mithu Kumar @ Mithu Kumar Ray S/O Shri Kusheshwar Ray
Resident Of Village Chakawa, P.S-Sarairanjan, District Samastipur
... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Surya Narayan Roy

For the Opposite Party/s : Mr. Jagdhar Prasad A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2. 14-07-2021 Heard learned counsel for the parties through video conferencing.

The petitioner seeks bail in Sarairanjan P.S. Case No. 154 of 2020 (Computerise Registration No. 996 of 2020), registered for the offence under Section 272, 273 of the Indian Penal Code and Section 30(a) of Bihar Prohibition and Excise Act.

35.625 liters of foreign liquor has been recovered from the cow-shed of Nanu Ram. Petitioner is alleged to have concealed the liquor in the cow-shed.

It is submitted on behalf of petitioner that nothing has been recovered either from the conscious possession or from the house of the petitioner. The recovery has been effected from the cow-shed of Nanu Rai and petitioner has got no concern with the seized liquor, but only on suspicion, he has been made accused. Petitioner is in custody since 13.10.2020.



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

Considering the nature of allegation and period of custody, the bail petition of petitioner is allowed. Let the above named petitioner 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 2nd Additional Sessions Judge cum Special Judge, Samastipur in connection with Sarairanjan P.S. Case No. 154 of 2020, on the following conditions:

“(1) Petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the court below and shall remain physically present, as directed by the court below, and on his absence on two consecutive dates without sufficient reason, his 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.)

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