

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20052 of 2021

Arising Out of PS. Case No.-489 Year-2020 Thana- CHAPRA MUFFASIL District- Saran

BHOLA RAY @ BHOLA RAI S/o Gouri Shankar Ray @ Gauri Shankar Rai
R/o village- Dumaria, P.S.- Muffasil, District- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Vinay Kumar Mishra, Mr. Anup Kumar Pandey, Advocates.
For the Opposite Party/s	:	Ms. Suman Kumari Singh, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 17-06-2021 Heard Mr. Vinay Kumar Mishra, learned counsel
for the petitioner and Ms. Suman Kumari Singh, Additional
Public Prosecutor for the State through video conferencing.

Petitioner seeks regular bail in connection with
Chhapra Mufassil PS Case No. 489/2020 registered for the
offence punishable under Sections 30(a) and 36 of Bihar
Prohibition & Excise Act .

The allegation, as per First Information Report, is that
the police on the basis of confidential information that the
petitioner along with other co-accused persons was indulged in
selling illicit liquor, proceeded towards the place of occurrence
and upon seeing the police party the petitioner succeeded in
fleeing away and the police recovered 40 litres of illicit liquor



from the bag left by the petitioner and 10 litres from the bag of one Dinesh Rai.

Learned counsel for the petitioner submits that the petitioner has not committed any offence in the manner alleged and he has falsely been implicated in this case on the basis of disclosure made by the Chaukidar. Learned counsel further submits that no illicit liquor has been recovered from the conscious possession of the petitioner and the same has been recovered from a place near railway track.

Learned counsel for the petitioner further submits that petitioner is in custody since 05.12.2020 and the charge-sheet has already been submitted in the matter and there is no likelihood that the petitioner will abscond or tamper with the evidences if he is released on bail.

Having regard to the submissions made by the parties and taking into consideration the material on record and the fact that petitioner is in custody since 05.12.2020 and the charge-sheet has already been submitted in the matter and there is no likelihood that the petitioner will abscond or tamper with the evidences, if he is released on bail, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, BHOLA RAY @



BHOLA RAI be released on bail on furnishing bail bond of Rs. 25,000/- (Twenty-five Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-cum-Special Judge, Saran in connection with Chhapra Mufassil PS Case No. 489/2020.

It is made clear that at the time of furnishing bail bonds, all the parties shall follow the guidelines of social/physical distancing and sporting masks.

(Anil Kumar Sinha, J)

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