

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24144 of 2021

Arising Out of PS. Case No.-16 Year-2021 Thana- KANTI District- Muzaffarpur

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Dineshwar Ray, aged about 45 years, Son of Late Mushahar Ray Resident of
Village- Bakatpur, P.S.- Kanti, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Hari Kishore Thakur, Advocate
For the State : Mr.Umeshanand Pandit, APP

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

3 30-11-2021 Heard learned counsel for the petitioner and the

counsel appearing on behalf of the State.

Let the defect(s) be removed within two weeks of the
complete start of the physical Court in normal course.

Petitioner who is in custody since 6.1.2021 seeks bail
in connection with Kanti P.S. Case No. 16 of 2021 for the
offence under sections 272, 273 & 120(B) of the Indian Penal
Code and Section 30(a) of the Bihar Prohibition and Excise Act,
2016-18.

The prosecution case in brief is that on receiving
information from one Umesh Rai, a raid was conducted in
village Bakatpur and one Scorpio and a Bullet motorcycle was
found standing near the house of Kamlesh Thakur and on
search, 3640 liters raw spirit was recovered from the said



Scorpio and the bullet motorcycle which is not fit for human consumption.

It is alleged that the petitioner was also among the arrested persons who was working as a liner/distributor to small parties.

Learned counsel appearing on behalf of the petitioner submits that some of the accused persons has already been released on bail and in this regard. He has already filed a supplementary affidavit, annexing the same, it appears that petitioner was not aware of the consignment which was being transported in the vehicle mentioned in the FIR.

Learned counsel appearing on behalf of the State opposes the prayer for grant of bail to the petitioner.

Considering the fact that petitioner has clean antecedent and nothing having been recovered from the conscious possession, the bail application is allowed, let the petitioner, named above, be enlarged on bail on furnishing bail bond of Rs. 25000/- (Twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise Act, Muzaffarpur, in connection with Kanti P.S. Case No. 16 of 2021 subject to the following conditions:-

(1) Bailors should be local having sufficient



immovable property within the jurisdiction of the Court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(4) If the petitioner is found involved in similar nature of offense, after his release on bail, the trial court shall take steps to cancel his bail bond.

(Purnendu Singh, J)

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