

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26445 of 2021

Arising Out of PS. Case No.-11 Year-2021 Thana- AURAI District- Muzaffarpur

ARJUN RAI Son of Amiri Rai Resident of Village - Aurai, P.S.- Aurai,
District - Muzaffarpur

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Hari Kishore Thakur, Advocate

For the Opposite Party/s : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 29-07-2021 Heard learned counsel for the petitioner and the State.

Petitioner seeks regular bail in a case registered for the offence punishable under Sections 272 and 273 of the Indian Penal Code and section 30a of the Bihar Prohibition and Excise Act.

As per the prosecution case, 28 liters of foreign liquor has been recovered from the house of the petitioner.

Learned counsel appearing for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. No incriminating material has been recovered from the conscious possession of the petitioner and he is no way concerned with the alleged recovery as the house in question is the joint family property. Petitioner claims clean antecedent. Petitioner is in custody since 22.1.2021. Investigation is



complete.

Learned counsel appearing for the State opposes the prayer for bail.

Considering the rival submissions of the parties and the materials available on the record, 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 the Special Judge, Excise Act Muzaffarpur in Aurai Police Station Case No. 11 of 2021 on the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her 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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