

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30228 of 2021**

Arising Out of PS. Case No.-287 Year-2019 Thana- BEGUSARAI MUFFASIL District-
Begusarai

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DHIRAJ RAI @ DHIRAJ KUMAR @ DHIRAJ KUMAR RAI S/o Nand
Kishore Rai @ Rusho Rai @ Harikant Rai Resident of Village- Rajaura
(Gouspur), P.S.- Muffasil, District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sada Nand Roy
For the Opposite Party/s : Mr.Rajendra Nath Jha, APP

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

2 13-08-2021 This matter is taken up for consideration through
Video Conferencing.

Heard learned counsel for the petitioner and learned
A.P.P for the State.

The petitioner seeks bail in Muffasil P.S. Case No.
287 of 2019, registered for the offence punishable punishable
under Section 30(a) of the Bihar Prohibition and Excise Act,
2016.

627.585 litres of foreign liquor has been recovered
from open field of co-accused Bhushan Rai and petitioner is
alleged to be one of the associates who indulged in trade of
illicit liquor.

It is submitted that no recovery has been made from



conscious possession of this petitioner. Recovery has been made open field which is accessible to general public. Petitioner has no concern with the seized liquor and he is in custody since 13.01.2021. Chargesheet has already been submitted.

Considering the period of custody, the petitioner above-named, is directed to be enlarged 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 learned Special Judge Excise Act, Begusarai in connection with Muffasil P.S. Case No. 287 of 2019, subject to following conditions:-

(i) The 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 in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(ii) 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.

(Prabhat Kumar Singh, J)

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