

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31804 of 2021

Arising Out of PS. Case No.-60 Year-2021 Thana- AHIYAPUR District- Muzaffarpur

Raj Kumar S/O- Shivgi Rai @ Shivji Ray Resident of Village- Harpur Bakhri
(Fatehpur, Barajagannath), P.S.- Ahiyapur, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shivam

For the Opposite Party/s : Mr.D.P.Tiwary

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2. 27-08-2021 Heard learned counsel for the parties through video conferencing.

The petitioner seeks bail in Ahiyapur P.S. Case No.60 of 2021, registered for the offence under Sections 272, 273, 420, 467, 469, 471, 34 of the Indian Penal Code and Sections 30(a), 36, 41 of Bihar Prohibition and Excise Act.

On a secret information that some persons are unloading the cartoons of illicit liquor from a truck, a raid was conducted and 1782 liters & 160 ml. of foreign liquor was recovered and seven persons were arrested on the spot, who disclosed the name of petitioner, as one of their associates, who indulged in the business of illicit liquor.

It is submitted on behalf of petitioner that nothing has been recovered from the conscious possession of the petitioner.



Petitioner is neither owner nor driver of the vehicle in question.
Petitioner is in custody since 28.01.2021. Chargesheet has been submitted.

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 Special Judge Excise, Muzaffarpur in connection with Ahiyapur P.S. Case No. 60 of 2021, 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.)

anay

U		T	
---	--	---	--

