

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34773 of 2021**

Arising Out of PS. Case No.-767 Year-2019 Thana- KANTI District- Muzaffarpur

Shambhu Ray @ Shambhu Roy S/O Nandkishor Ray @ Tunna Ray R/o
village- Dhebvah @ Dhemha, P.S.- Kanti, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arvind Kumar

For the Opposite Party/s : Mr.Ram Sumiran Rai

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

2 04-09-2021 Heard learned counsel for the parties through video conferencing.

The petitioner seeks bail in Kanti P.S. Case No. 767 of 2019, registered for the offence under Sections 30(a)/38/41 of Bihar Prohibition and Excise Act.

778 liters & 110 ml. of illicit wine has been recovered from a Bolero vehicle of co-accused Uma Shankar Singh and petitioner has been made accused in this case on the confessional statement of co-accused Uma Shankar Singh.

It is submitted on behalf of petitioner that nothing has been recovered from the conscious possession of the petitioner. The petitioner has got no concern either with the illicit liquor or the vehicle in question. Petitioner is in custody since 04.03.2021. Investigation is complete.



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 Act, Muzaffarpur in connection with Kanti P.S. Case No. 767 of 2019, 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.)

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