

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33063 of 2020

Arising Out of PS. Case No.-117 Year-2020 Thana- SAKRA District- Muzaffarpur

1. RANJEET RAY @ RANJEET KUMAR, S/o Jagdish Ray Resident of Village-Sabaha, P.S.-Sakra Distt.-Muzaffarpur.
2. Sanjeet Ray @ Sanjeet Kumar, S/o Jagdish Ray R/o Vill.-Sabaha, P.S.-Sakra, Distt.-Muzaffarpur.
3. Dharmendra Ray @ Dharmendra Kumar, Father's name Shivajee Ray, R/o Vill.-Sabaha, P.S.-Sakra, Distt.-Muzaffarpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Hari Kishore Thakur
For the Opposite Party/s : Mr.APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 09-03-2021 Mr. Hari Kishore Thakur, learned counsel for the petitioners seeks permission to withdraw this petition with respect to petitioner no. 2, who has been arrested.

The application with respect to petitioner no. 2, namely, Sanjeet Ray @ Sanjeet Kumar is dismissed as withdrawn.

The prayer of the learned counsel for the petitioners to provide the name of the father of petitioner no. 3 which could not be typed in the petition inadvertently, is allowed.



The learned counsel for the petitioners is permitted to add the name of father of petitioner no. 3 during the course of the day.

The petitioner nos. 1 and 3 seek bail in anticipation of their arrest in connection with Sakra P. S. Case No. 117 of 2020, dated 25.03.2020, instituted for the offences under Sections 272, 273, 353, 325, 307 and 34 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

One Rahul Kumar was arrested at the instance of the local Chaukidar and 25.500 litres of liquor was recovered from the motor-cycle which was being driven by him. One of his associates, namely, Dharmendra Ray @ Dharmendra Kumar, (petitioner no. 3) is said to have run away.

Aforesaid Rahul Kumar is said to have taken the name of petitioner no. 1 as one of his associates.

The accusation of dashing the motor-cycle against the Chaukidar is on Rahul Kumar. Because of



such act of his, the Chaukidar received injuries.

The learned counsel for the petitioner nos. 1 and 3 has submitted that nothing has been recovered from their possession and their accusation in this case is only on the basis of statement made by one of the arrested accused persons of this case from whom, recovery of liquor has been made.

The petitioner nos. 1 and 3 do not have criminal antecedents.

Considering the afore-stated fact, the petitioner nos. 1 and 3, above-named, are directed to be released on bail, in the event of their arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on their furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise Act, Muzaffarpur, in connection with Sakra P. S. Case No. 117 of 2020, subject to the conditions



as laid down under Section 438 (2) Cr.P.C.

The application stands allowed.

(Ashutosh Kumar, J)

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