

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41458 of 2021

Arising Out of PS. Case No.-19 Year-2021 Thana- PAWANA District- Bhojpur

Sudhir Rai @ Abhinaw Kumar S/O Late Ramchandra Rai R/O Village- Chasi,
P.S.- Narayanpur, District- Bhojpur

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Jai Vardhan Narayan, Advocate
For the Opposite Party : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 22-10-2021 Heard learned counsel for the petitioner and the State.

Petitioner seeks regular bail in a case registered for the offence punishable under Section 30a of the Bihar Prohibition and Excise Act and sections 25(1-b)a/26/35 of the Arms Act.

As per the prosecution case, a loaded country made pistol, a cartridge and mobile phone were recovered from the possession of the petitioner, whereas 20 liters of Mahua liquor and cash Rs.85,000/- was recovered from the Bolero Jeep which was being used by the petitioner and his associates at the time of raid.

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. Petitioner is in custody since 7.4.2021. Investigation is complete.

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

Considering the rival submissions of the parties, 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 Additional Sessions Judge IV cum Special Judge, Excise Act, Bhojpur at Arrah in Pawana Police Station Case No. 19 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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