

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31453 of 2020

Arising Out of PS. Case No.-23 Year-2020 Thana- NAYAGAON District- Saran

DOMAN RAI @ DOMAN RAY, S/o Mahesh Rai @ Mahesh Ray, Resident
of Village-Bariyarchak, P.S.-Naya Gaon, District-Saran at Chapra.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shakil Ahmad Khan

For the Opposite Party/s : Mr.Brajendra Nath Pandey

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 29-01-2021 Heard learned counsel for the petitioner and learned
APP for the State.

Learned counsel for the petitioner undertakes to
remove the defects as pointed out by the office within three
weeks of normal functioning of the court, failing which the
office is directed to place the matter before the Bench.

The petitioner is apprehending his arrest in a case
registered for the offence punishable under Sections
30,38,41,37(B) of the Bihar Prohibition and Excise Act.

It is submitted by learned counsel for the petitioner
that there is no recovery from the conscious possession of the
petitioner. There is recovery of total 180 liters of foreign liquor
from the bank of Ganga river. The petitioner has been made
accused on the basis of confessional statement of apprehended



accused persons. The petitioner is accused in Naya Gaon P.S. Case No. 95/2017 under Section 30(a) of the Excise Act in which he is on bail.

Learned APP for the State opposed the bail petition.

Petitioner is agreed to deposit a sum of Rs.10,000/- (Rupees Ten Thousand) in the PM Cares Fund, bearing Account No.2121PM20202, IFSC Code: SBIN 0000691, SWIFT Code: SBININBB104, State Bank of India, New Delhi Main Branch, UPI ID : pmcares@sbi.

In the aforesaid facts and circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of six weeks from the date of receipt of the order, be released on anticipatory bail on furnishing bail bonds of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional District and Sessions Judge-2nd cum Special Judge Excise Act, Saran at Chapra in connection with Naya Gaon P. S. Case No.23/2020, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure with further condition that if the petitioner is found involved in similar offence in future, his bail bond shall be liable to be cancelled.



The bail bond of the petitioner shall be accepted by
the learned Court below on showing receipt of deposit of
Rs.10,000/- (Rupees Ten Thousand) in the PM Cares fund.

(Anjani Kumar Sharan, J)

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