

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 32204 of 2020

Arising Out of PS Case No.-490 Year-2019 Thana- SAHEBGANJ District- Muzaffarpur

Sudarshan Ray, aged about 45 years (Male), Son of Roop Chhapra (Morhar),
Police Station - Sahebganj, District - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Raju Kumar, Advocate
For the State	:	Mr. Md. Arif, APP

CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH

ORAL JUDGMENT

Date : 04-01-2021

Heard Mr. Raju Kumar, learned counsel for the petitioner and Mr. Md. Arif, learned Additional Public Prosecutor (hereinafter referred to as the 'APP') for the State.

2. The petitioner is in custody in connection with Sahebganj PS Case No. 490 of 2019 dated 14.11.2019, instituted under Sections 272/273/34 of the Indian Penal Code and 30(a)(d) (g), 41(1) of the Bihar Prohibition and Excise Act, 2016.

3. The allegation against the petitioner is that on seeing the police party he ran away along with 4-5 persons and upon search 200-300 litres of liquor, 20 litres of country made wine and 20 kgs. jaggery was recovered from the spot.



4. Learned counsel for the petitioner submitted that there is no recovery from the petitioner and only on suspicion he has been made an accused. It was further submitted that the petitioner is in custody in connection with one other case and from the same he has been remanded in the present case on 03.03.2020.

5. Learned APP submitted that petitioner has been identified as one of the persons who ran away from the spot from where illicit liquor and utensils used for manufacturing have been recovered.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise Act, Muzaffarpur in Sahebganj PS Case No. 490 of 2019, subject to the conditions (i) that one of the bailors shall be a close relative of the petitioner, (ii) that the petitioner and the bailors shall execute bond with regard to good behaviour of the petitioner, and (iii) that the petitioner shall also give an undertaking to the Court that he shall not indulge in any illegal/criminal activity, act in violation of any law/statutory provisions, tamper with the evidence or influence the witnesses. Any violation of the terms and



conditions of the bonds or the undertaking shall lead to cancellation of his bail bonds. The petitioner shall cooperate in the case and be present before the Court on each and every date. Failure to cooperate or being absent on two consecutive dates, without sufficient cause, shall also lead to cancellation of his bail bonds.

7. However, this order is subject to the main application supported by affidavit being *e* filed in this Court by learned counsel for the petitioner latest by day after tomorrow.

8. The application stands disposed off in the aforementioned terms.

(Ahsanuddin Amanullah, J.)

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