

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33957 of 2020

Arising Out of PS. Case No.-112 Year-2019 Thana- CHIRAIYA District- East Champaran

Bhola Rai, aged about 30 years, Gender-Male, S/o Birendar Rai Resident of
Village-Katkuiya, P.S.-Chiraiya, District-East Champaran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Singh, Adv.
For the Opposite Party/s : Mr. M.K. Nirala, APP

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 02-02-2021 Heard learned counsel for the petitioner and learned
counsel for the State.

In this case, the petitioner is seeking bail in connection with Chiraiya P.S. Case No. 112 of 2019 registered for offences under sections 30(a), 35(b) of the Bihar Prohibition and Excise Act, 2016.

As per allegation, on receipt of secret information, the police has seized altogether 146.340 liters of illicit liquor from the land of the petitioner.

Learned counsel for the petitioner submits that the petitioner has no connection with the seized liquor and he is languishing in judicial custody since 5.7.2020. He further submits that the petitioner has criminal antecedent as has been stated in paragraph no.3 of this bail application.



Looking to the entire facts circumstances of the case, 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 learned Special Judge Excise, East Champaran at Motihari in connection with Chiraiya P.S. Case No. 112 of 2019, subject to the condition that (i) one of the bailors shall be a close relative of the petitioner (ii) if the petitioner is found involved in future in similar type of case, the prosecution will be at liberty to make prayer for cancellation of his bail and the court below will pass necessary order, including cancellation of bail and (iii) the petitioner would cooperate the proceeding of the court below. In event of failure to appear on two consecutive dates, the court below will be at liberty to pass the order, including cancellation of bail bonds and (iv) the petitioner will report to the Chiraiya police station by 7th of every month for at least nine months and in case of failure without any valid rhyme or reason, the bail of the petitioner will be treated to have been canceled.

(Shivaji Pandey, J)

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