

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34860 of 2020

Arising Out of PS. Case No.-110 Year-2020 Thana- BASANTPUR District- Siwan

1. NIRAJ RAM, S/o Musafir Ram @ Mosafir, Ram Resident of Village-Basauo Tilak Sah Ke Tola, P.S-Basantpur, District-Siwan
2. MUSAFIR RAM @ MOSAFIR RAM, S/o Late Deoki Ram, Resident of Village-Basauo Tilak Sah Ke Tola, P.S-Basantpur, District-Siwan

... Petitioners

Versus

The State of Bihar

... Opposite Party/s

Appearance :

For the Petitioners : Mr. Bijay Prakash Singh, Adv.

For the Opposite Party : Mr. Nitya Nand Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 05-04-2021 As prayed for, let the learned counsel for the petitioners remove the defect(s), as pointed out by the office vide it's note, dated 14.12.2020, within four weeks of starting of the Court proceeding in physical mode properly.

Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the state.

The learned counsel for the petitioners submits that petitioner no. 2, Musafir Ram, has surrendered before the Court below and prays to withdraw the prayer of pre-arrest bail on his behalf.

Prayer is allowed.

This application is dismissed as withdrawn, so far it relates to petitioner no. 2, Musafir Ram.



The petitioner no. 1, Niraj Ram, seeks pre-arrest bail in connection with Basantpur P.S. Case No. 110 of 2020, registered under Sections 272, 273 and 308/34 of the Indian Penal Code and 30(a) of the Bihar Prohibition and Excise Act, 2016.

On secret information about supply of liquor in huge quantity by Vijay Singh, Sri Ram Singh, Mukesh Singh and Chhotu Singh of village Basaon for selling the same, the informant, along with other police personnel, reached village Basaon, then, saw that from the hut of Musafir Ram six persons started to flee away, on seeing the police vehicle while they were chased, but, they succeeded to flee away. On search of hut, several bottles in volume of 885.485 liters Indian made foreign liquor recovered. The local people disclosed that Musafir Ram, his sons, Niraj Ram (petitioner), Jitesh Kumar Ram, daughters Pushpa Kumari, Arti Kumari and Ranjushi Kumari and wife, Kalita Devi are indulged in selling the liquor.

Submission is that petitioner no. 1, Niraj Ram, is one of the sons of Musafir Ram, has been implicated in this case. Further, submission is that other sons and daughters, including the wife, of co-accused, Musafir Ram, have already been allowed the privilege of pre-arrest bail on 26.03.2021 vide Cr.



Misc. No. 34604 of 2020. The petitioner has no criminal antecedent.

Having regard to the facts and circumstances of the case, let the petitioner no. 1, Niraj Ram, in the event of surrender/arrest, within a period of four weeks from today, in connection with Basantpur P.S. Case No. 110 of 2020 shall be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of the Additional District & Sessions Judge II-cum-Special Judge, Excise, Siwan, or the successor Court subject to the conditions as laid down under Section 438(2) Criminal Procedure Code.

(Rajendra Kumar Mishra, J)

Shamshad/-

U		T	
---	--	---	--

