

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2757 of 2021

Arising Out of PS. Case No.-186 Year-2020 Thana- TARAIYA District- Saran

ARBIND RAI SON OF SUBHASH RAY Resident of Village- Dhama Parsa,
P.S.- Isuapur, District- Saran at Chhapra Petitioner
Versus

THE STATE OF BIHAR Opposite Party

Appearance :

For the Petitioner/s : Mr.Krishna Prasad Singh,Sr.Advocate
Mr.Alok Kumar Alok,Advocate
For the Opposite Party/s : Mr.Surendra Kumar,APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 24-02-2021 Heard learned senior counsel for the petitioner and
Mr. Surendra Kumar, learned APP for the State.

This is the second attempt of the petitioner to obtain regular bail in connection with Taraiya P.S. Case No. 186 of 2020 registered for the offences punishable under Section 30(a) of Bihar Prohibition & Excise Act.

Learned senior counsel for the petitioner submits that earlier the prayer for regular bail of the petitioner was rejected vide order dated 24.09.2020 passed in Cri. Misc. No. 20862 of 2020 with an observation to renew the prayer for bail after framing of the charge.

Learned senior counsel submits that the charge has been framed in this case on 06.11.2020 (Annexure '3').

Learned APP for the State has opposed the prayer for bail of the petitioner.



Having regard to the facts and circumstances of the case, earlier observation of this Court as contained in order dated 24.09.2020 passed in Cri. Misc. No. 20862 of 2020 and the developments whereunder now the charge has already been framed on 06.11.2020 (Annexure '3'), the petitioner has remained in jail since 09.06.2020, let the petitioner above named be released on bail on furnishing of bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of learned 2nd Additional Sessions Judge-cum-Special Judge, Excise, Saran at Chapra in connection with Taraiya P.S. Case No. 186 of 2020, subject to the condition as laid down under Section 437 (3) Cr.P.C. as under :

(a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter,

(b) that such person shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected, and

(c) that such person shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or



tamper with the evidence.

And further condition that the court below shall verify the criminal antecedents of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bond in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

The application stands allowed.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

