

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7322 of 2021

Arising Out of PS. Case No.-167 Year-2019 Thana- MINAPUR District- Muzaffarpur

Raghuvir Das, Son Of Basudeo Das, R/O Village- Nariyar, P.S.- Motipur,
District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Parasmani, Advocate
For the Opposite Party/s : Mr.Damodar Prasad Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 25-06-2021 The matter has been taken up today for consideration
through video conferencing.

The learned counsels are appearing and making
submissions from their residence. The Court Master and
Secretary are also part of this virtual Court proceedings from
their homes, all with the aid of audio visual technology.

Heard learned Counsel for the petitioner and the
learned APP for the State.

The petitioner seeks bail in connection with Minapur
P.S. Case No.167 of 2019 registered for the offence punishable
under Sections 272 and 273 of the Indian Penal Code and
Sections 30(a), 38 of the Bihar Prohibition and Excise Act.

1411.560 litres illicit liquor has allegedly been
recovered from a truck, from where 7-8 persons were fleeing



away. Petitioner is one of the persons who fled away. Even as per the prosecution case, he has not been arrested at the place of recovery. He has falsely been implicated in this case and it is submitted that there is no forensic opinion to support the allegation that the recovered substance is intoxicant. Petitioner has no criminal antecedents and is in custody since 08.10.2020.

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

Considering the rival submissions, this Court is inclined to allow the petitioner's prayer for bail.

Accordingly, 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 the learned Special Judge, Excise Act, Muzaffarpur, in connection with Minapur P.S. Case No.167 of 2019, subject to the following conditions:

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the court if there is any change in the address of the petitioner.

(ii) That the petitioner will be



well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

This Court would expect that the petitioner’s counsel would honour his undertaking in the instant proceedings regarding supply of the requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

(Madhuresh Prasad, J)

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