

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.8816 of 2021**

Arising Out of PS. Case No.-204 Year-2019 Thana- SARAIYA District- Muzaffarpur

PARMOD RAI Son of Nathuni Rai @ Shonfi Rai Resident of Village -
Jalalpur, P.S.- Saraiya (Jaitpur O.P), District - Muzaffarpur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Amit Kumar Jha,Advocate

For the Opposite Party/s : Mr.Md.Fahimuddin,APP

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

4 02-08-2021 Learned counsel for the petitioner undertakes to

remove all the defects pointed out by the Stamp Reporter within

four weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner and Mr. Md.
Fahimuddin, learned APP for the State.

The petitioner in the present case is seeking regular
bail in connection with Saraiya (Jaitpur O.P.) P.S. Case No. 204
of 2019 registered for the offences punishable under Sections
272, 273 of the Indian Penal Code and Section 30(a) of Bihar
Prohibition and Excise Act.

Learned counsel for the petitioner submits that as per
the prosecution story, the informant with other police personnel
on a secret information that some persons are involved in
trading of illicit liquor reached at the place of occurrence and

saw five persons including this petitioner were standing near Tata Safari car and on seeing the police party accused persons managed to escape. On search of the said vehicle total 172.440 of illicit liquor was recovered.

Learned counsel submits that the petitioner is innocent and has falsely been implicated in the present case. It is submitted that no incriminating article has been recovered from the conscious possession of the petitioner. The petitioner is in custody since 11.11.2020.

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

Having regard to the facts and circumstances of the case wherein the petitioner has remained in custody in connection with this case since 11.11.2020 and he is ready to abide by terms and conditions on which this Court may grant him bail, this Court directs **on completion of one year of custody** the petitioner above named shall be released on bail on furnishing of bail bonds of Rs.30,000/- (Rupees Thirty Thousand Only) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise Act, Muzaffarpur in connection with Saraiya (Jaitpur O.P.) P.S. Case No. 204 of 2019, subject to the conditions 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 is suspected, and

(c) that such persons shall not directly or indirectly make and 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 antecedent 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 bonds 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'.