

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9083 of 2021**

Arising Out of PS. Case No.-145 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.
District- Muzaffarpur

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Wakil Ray, Son of Late Bhuneshwar Ray, R/O Village- Vishanpur Giddha,
P.S.- Maniyari, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Nafisuzzoha, Advocate

For the Opposite Party/s : Mr. Ram Bilash Roy Raman, APP

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**CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER**

2 02-07-2021 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 Excise
Case No.145/2020, P.R. No.32/2020 registered for the offence
punishable under Sections 30(a) & 30(c) of the Bihar
Prohibition and Excise Act.

From the petitioner's house, there is an alleged



recovery of 02 litres *chulai* liquor and 50 litres raw material.

It is submitted that it is a case of false implication. Raw material was recovered from a nearby land and the petitioner has no connection with the recovered substance. Recovery is not in accordance with law and having clean antecedents, the petitioner is in custody since 27.09.2020.

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 learned Spl. Judge, Excise Act, Muzaffarpur, in connection with Excise Case No.145/2020, P.R. No.32/2020, 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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