

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8974 of 2021

Arising Out of PS. Case No.-49 Year-2020 Thana- RUNISAIDPUR District- Sitamarhi

Ranjee Rai @ Ramji Ray, S/o Late Ram Ashish Rai, R/o village- Tikauli, P.S.-
Runnisaidpur, District- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Uday Kumar, Advocate

For the Opposite Party/s : Mr. Nityanand Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 01-07-2021 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 Runnisaidpur P.S. Case No.49 of 2020 registered for the offence punishable under Sections 30(a) and 30(g) of the Bihar Prohibition and Excise Act, 2016.

865.320 litres illicit liquor has been recovered from two places in course of search, part of which has allegedly been



recovered from east of the petitioner's hut.

Petitioner's counsel submit that the petitioner has falsely been implicated in this case. Even as per the F.I.R., recovery is not from inside his house and from an open place accessible to all. He has no criminal antecedents and is in custody since 20.10.2020.

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 Additional District & Sessions Judge-2nd-Cum-Special Judge (Excise), Sitamarhi, District-Sitamarhi, in connection with Runnisaidpur P.S. Case No.49 of 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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