

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9862 of 2021**

Arising Out of PS. Case No.-164 Year-2019 Thana- RAGHOPUR District- Vaishali

Vijay Rai @ Vijay Ray (male) aged about 50 years, Son of Late Indradeo Rai
Resident of Village - Teenpairiya Rustampur, P.S.- Raghobpur, Distt.- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manish Chandra Gandhi
For the Opposite Party/s : Mr.Panchanand Pandit

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

2. 25-06-2021 Heard learned counsel for the parties through video conferencing.

The petitioner seeks bail in Raghobpur (Rustampur O.P.) P.S. Case No. 164 of 2019, registered for the offence under Section 30(a) of Bihar Prohibition and Excise Act.

As per the prosecution case, 858 liters & 600 ml. of Indian make foreign liquor has been recovered from the house of the petitioner.

It is submitted on behalf of petitioner that nothing has been recovered from conscious possession of the petitioner. The house, in question, is in joint possession of the family. Petitioner claims clean antecedent and he is in custody since 11.10.2020.

Learned A.P.P. for the State has opposed the bail petition.



Considering the nature of allegation and period of custody, the bail petition of petitioner is allowed. Let the above named petitioner 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 Additional Sessions Judge-II cum Special Judge (Excise Court), Vaishali at Hajipur in connection with Raghapur (Rustampur O.P.) P.S. Case No. 164 of 2019, on the following conditions:

“(1) Petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the court below and shall remain physically present, as directed by the court below, and on his absence on two consecutive dates without sufficient reason, his bail-bond shall be cancelled by the court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.”

(Prabhat Kumar Singh, J.)

anay

U		T	
---	--	---	--

