

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6591 of 2022

Arising Out of PS. Case No.-341 Year-2020 Thana- BOCHAHAN District- Muzaffarpur

RAKESH RAY SON OF YOGENDRA RAY RESIDENT OF VILLAGE-
RUDAHAN SANATHI, P.S.- BOCHAHAN, DISTRICT- MUZAFFARPUR

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Bela Singh

For the Opposite Party/s : Mr.Nityanand

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 26-05-2022 The learned counsel for the petitioner is directed to remove all the defects pointed out by the stamp reporter within one month.

Heard learned counsel for the petitioner as well as learned APP for the State.

In this case, the petitioner is seeking regular bail in connection with Bochahan P.S. Case No. 341 of 2020, registered for the offences punishable under Section 272, 273 of the Indian Penal Code and Section 30 (a) of Bihar Prohibition and Excise Act.

As per allegation, 33 litres 375 ml of liquor was recovered from bamboo clump of co-accused Shyam Rai. The present petitioner, as per allegation, along with co-accused



Pramod Rai, Shyam Rai, Ashok Rai and Umesh Rai became successful in fleeing away.

Learned counsel for the petitioner has submitted that petitioner was not arrested at the spot. Nothing was recovered from his possession and he is under custody since 08.11.2021. Learned counsel has also submitted that on similar footing co-accused Ashok Ray has been granted bail vide Cr. Misc. No. 24439 of 2021 by learned coordinate Bench of this Court.

Considering the above-mentioned facts and circumstances, let the petitioner above-named be released on bail on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise Act, Muzaffarpur in connection with Bochahan P.S. Case No. 341 of 2020, subject to the following conditions:-

(i) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court.

(ii) At the time of furnishing bail bond, the petitioner shall file an affidavit to the effect that he shall not indulge himself in future in the similar type of offence. If it is found so, the prosecution will have liberty to file an application before the court below for cancellation of the bail of the petitioners and the learned court below



will take decision in accordance with law.

Office shall ensure that all defects are removed by the petitioner within the stipulated time mentioned hereinabove, failing which, the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

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