

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8618 of 2022

Arising Out of PS. Case No.-500 Year-2021 Thana- KANTI District- Muzaffarpur

=====

Sujit Rai S/o Suresh Rai Resident of Village- Madhuban, P.S.- Kanti, District-
Muzaffarpur,

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Chandra Shekhar Anand

For the Opposite Party/s : Mr. Umeshanand Pandit, APP

=====

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 07-06-2022 Heard learned counsel appearing on behalf of the

petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within two weeks
of the complete start of the physical Court in normal course.

The petitioner seeks bail in connection with Kanti P.S.
Case No.500 of 2021 registered for the offence under Section
30(a) of the Bihar Prohibition and Excise Act.

The accused/petitioner is named in the F.I.R. and is in
custody since 25.10.2021.

The accusation against the petitioner is having in
possession of 6.750 liters of foreign made liquor which is
alleged to be recovered from the joint family poultry farm of the
petitioner.



Learned counsel appearing on behalf of the petitioner submitted that recovery cannot be made from the exclusive possession of the petitioner for the reason that the said poultry farm is not exclusively occupied by the petitioner. It is further submitted, as regard to the criminal antecedents of the petitioner, that the name of the petitioner was involved in four cases on the basis of confessional statement.

Learned APP appearing on behalf of the State fairly conceded that recovery is not made from the exclusive possession of the accused/petitioner but raise concern that the accused/petitioner is involved in eight cases of similar nature.

Considering the facts and circumstances as mentioned above and as recovery is not made from the exclusive possession of the petitioner, let the petitioner, above named, is directed to be released on bail in connection with Kanti P.S. Case No.500 of 2021 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise Act, Muzaffarpur, subject to the following conditions:

“(i) That accused/petitioner shall not involve in the similar nature of offence till the conclusion of trial, failing the State



shall be at liberty to move before the Trial Court itself for the cancellation of bail bond of the petitioner.

(ii) That one of the bailors shall be the close relative of the accused/ petitioner like mother/father/sister/brother.”

(Chandra Shekhar Jha, J)

Ankit/-

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

