

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9267 of 2022

Arising Out of PS. Case No.-200 Year-2021 Thana- MEHANDIA District- Jehanabad

Munna Ray Son Of Dinesh Rai R/O Village- Sahpur, P.S.- Gangabridge,
District- Vaishali

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anuj Kumar, Adv.

For the Opposite Party/s : Mrs.Veena Kumari Jaiswal, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 26-05-2022 Heard learned counsel for the parties.

Let the defect(s) be removed within four weeks of the
complete start of the physical Court in normal course.

The petitioner is in judicial custody in connection
with Excise Case No.1244/2021 arising out of Mehandia P.S.
Case No.200/2021 instituted under Section 30(a) of Bihar
Prohibition and Excise Act, 2018.

Allegation in the FIR is that the police upon
information, started checking the vehicle and when intercepted a
pick-up van, it has been alleged that the driver and the cleaner
tried to escape. They were apprehended and altogether 487 liters
of liquor of different brands were recovered/seized. They were
taken into judicial custody. The driver thereafter disclosed that
he had telephonic conversation with one Jyoti Kumar Sahni and
the petitioner herein on the basis whereof the petitioner has also



been charged in this case.

Learned counsel for the petitioner submits that for the said occurrence the petitioner is in custody since 25.12.2021 (as stated in para-15 of the bail application). He further submits that the driver and the cleaner of the said vehicle who was apprehended on the spot has since been granted bail by a co-ordinate Bench of this Court vide Cr. Misc. No.9875/2022 vide an order dated 25.05.2022.

Let the order dated 25.05.2022 passed in Cr. Misc. No.9875/2022 be kept on record.

Taking into account the aforesaid fact that the charge-sheet stands submitted, the petitioner is in jail and the other co-accused have been granted bail by a co-ordinate Bench of this Court, this Court is inclined to grant him the privilege of bail.

Let the petitioner be released on bail on furnishing bail bond of Rs.20,000/-(Rupees Twenty Thousand) with two sureties of the like amount each in connection with Excise Case No.1244/2021 arising out of Mehandia P.S. Case No.200/2021 to the satisfaction of learned Special Excise Court No.II, Jehanabad , subject to following conditions:

(i) one of the bailor should be the family member of the petitioner, who shall provide official document to show



his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reasons will entail cancellation of his bail by the Trial court itself;

(iii) the petitioner shall appear before the concerned police station every month for next six months to mark his presence;

(iv) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to steps for cancellation of his bail bonds.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

Prakash Narayan /-

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