

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14149 of 2022

Arising Out of PS. Case No.-451 Year-2021 Thana- MINAPUR District- Muzaffarpur

Devendra Rai Son Of Late Mahesh Rai Resident of Village - Raghopur, P.s.-
Minapur, Distt.- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Chandra Shekhar Anand, Advocat
For the Opposite Party/s : Mr. Anand Kishore Choudhary, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 08-07-2022 Heard learned counsel for the petitioner as well

as learned Additional Public Prosecutor for the State

through video conferencing.

Petitioner seeks bail in a case registered in
connection with Minapur P.S.Case No.451 of 2021 for the
offences punishable under Sections 272, 273 of the Indian
Penal Code and SEction 30(a) of the Bihar Prohibition &
Excise Act 2018.

As per the prosecution case, it is alleged that the
police raided the house of the petitioner and from where 25
liters spirit has been recovered.

It is submitted by the learned counsel for the
petitioner that house from where the recovery has been



made is a joint family house and as such no recovery has been made from conscious possession of the petitioner. It is further submitted that this petitioner is in custody since 29.11.2021 having no criminal antecedent and moreover, investigation has already been completed and charge sheet has been submitted.

On the other hand, learned counsel for the State opposed the bail application of the petitioner.

Having heard the rival contentions of the parties and taking into consideration the fact that recovery has been made from the house, which is said to be joint family house, apart from the fact that petitioner is in custody since 29.11.2021, having clean antecedent, moreover, investigation has already been completed and charge sheet has been submitted, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court-I, Muzaffarpur in connection with Minapur P.S. Case No. 451 of 2021 subject to the condition that one of the bailors will be the close relatives of the petitioner with



further conditions which are as follows:-

(i) The petitioner will cooperate in conclusion of the trial.

(ii) He will remain present on each and every date of trial till disposal of the case.

(iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.

(iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be cancelled.

(Harish Kumar, J)

N.K/-

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

