

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19194 of 2022

Arising Out of PS. Case No.-14 Year-2022 Thana- PAROO District- Muzaffarpur

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BIGU RAI @ SIKANDRA RAI @ SIKANDAR RAI @ SIKINDAR RAI @
SIKENDRA RAY S/o Late Sabhajit Ray Resident of Village- Chintamanpur,
P.S.- Paroo, District- Muzaffarpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Jha

For the Opposite Party/s : Mr.Shyam Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 22-07-2022 Let the defect(s), as pointed out by the office, be
removed within a period of four weeks from today.

Heard learned counsel for the petitioner and
learned A.P.P. for the State.

The petitioner seeks bail in connection with Paroo
P.S. Case No. 14 of 2022 registered for the offences punishable
under Sections 30(a) of Bihar Prohibition and Excise Act, 2016.

As per prosecution case, on information, informant
reached near the place of occurrence. After seeing police
personnel one person started to flee away but he was
apprehended. On inquiry the apprehended person disclosed his
name as Bigu Rai (present petitioner). On search total 105 litres
country made Chulai liquor was recovered from the field of



present petitioner.

Learned counsel for the petitioner submits that petitioner is in custody since 11.01.2022. Petitioner bears criminal antecedent of three cases in which two cases are of similar nature. Charge sheet has already been submitted in the case and there is no likelihood of tampering with the prosecution evidence. Learned counsel further submits that nothing has been recovered from the possession of the petitioner. The filed from where recovery has been made does not belong to the petitioner.

The learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner.

Considering the facts and circumstances of the case as well as period of custody, charge-sheet has already been submitted and there is no likelihood of tampering with the prosecution evidence, and also taking into consideration the material available on record, let the petitioner above named be released on bail after framing of charge on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge (Excise) Court No. II, Muzaffarpur in connection with Paroo P.S. Case No. 14 of 2022, subject to following



conditions:-

(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn the affidavit in bail application.

(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates without appropriate permission would be a ground for cancellation of bail by the learned Trial court itself.

(iii) 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.

(Alok Kumar Pandey, J)

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